

No. 16-4300, No 17-1054

IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

MID-ATLANTIC RESTAURANT GROUP,

Petitioner

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent

JOINT APPENDIX VOLUME III (375a-743a)

Petition for Review of the November 30, 2016 Order of the National Labor Relations
Board, Case No. 04-CA-162385

Kent E. Conway, Esquire
Nathan J. Schadler, Esquire
PA Attorney I.D. No. 88063/92885
Conway Schadler, LLC
3245 Ridge Pike
Eagleville, PA 19403
(P) (484) 997-2040
(F) (484) 997-2041
Attorneys for Petitioner/Cross Respondent

BEFORE THE
NATIONAL LABOR RELATIONS BOARD,

In the Matter of:

Mid-Atlantic Restaurant Group,
LLC, D/B/A Kelly's Tap Room

Employer,
And

Robin C. Helms, An Individual
Charging Party,

Case No. 04-CA-162385

The above-entitled matter came on for hearing pursuant to Notice, before THE HONORABLE MARK CARISSIMI, Administrative Law Judge, at the National Labor Relations Board, 615 Chestnut Street, Philadelphia, PA 19106, 7th Floor, in Courtroom 3, on Thursday, March 24, 2016 at 9:10 a.m.

BURKE COURT REPORTING, LLC
1044 Route 23 North, Suite 316
Wayne, New Jersey 07470
(973) 692-0660

A P P E A R A N C E S

1 On behalf of the General Counsel:

2

3 David Faye, Esq.

4 NLRB, Region 4

5 615 Chestnut Street, 7th Floor

6 Philadelphia, PA 19106

7

8 On Behalf of the Employer:

9

10 Nathan J. Schadler, Esq.

11 Conway Schadler, LLC

12 1795 West Township Line Road

13 Blue Bell, PA 19422

14 484-997-2040

15

16 On Behalf of the Charging Party:

17

18 Robin C. Helms, Pro Se

19 72 North Sycamore Avenue

20 Clifton, Heights, PA 19018

21

22

23

BURKE COURT REPORTING, LLC
1044 Route 23 North, Suite 316
Wayne, New Jersey 07470
(973) 692-0660

	<u>I N D E X</u>					<u>VOIR</u>
	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>DIRE</u>
1						
2						
3	Angelia Mitchell	244	338	355	--	331
4		328	--	--	--	--
5	Eugene Mitchell	278	295	309	314	--
6				320	324	--
7	Michael Bebevino	356	361	366	--	--
8	Robert Stedeford	368	371	376	--	--
9	Ryan Henry	379	383	--	--	--
10						

1

E X H I B I T S

EXHIBIT NUMBER

IDENTIFIED

RECEIVED

2

3 General Counsel's:

4

GC-7

299

--

5

GC-8

348

349

6

Respondent's:

7

R-2

252

253

8

R-3

329

332

9

R-4

333

336

10

11

12

BURKE COURT REPORTING, LLC
1044 Route 23 North, Suite 316
Wayne, New Jersey 07470
(973) 692-0660

1 what capacity?

2 A I am the bookkeeper, the operations manager and the
3 general person for Mid-Atlantic Restaurant Group.

4 Q And Mid-Atlantic Restaurant Group is the entity that owns?

5 A Kelly's Tap Room.

6 Q Now, can you tell us a little bit about Kelly's Tap Room,
7 meaning specifically where it's located, what kind of
8 restaurant, bar it is.

9 A Okay. Kelly's is located in Bryn Mawr, Pennsylvania.
10 It's majorily a college bar. It has been in existence since
11 the 60s.

12 My husband, Gene Mitchell, went to the Villanova and it
13 was a dive bar and he thought, wouldn't it be great to build
14 something better some day.

15 So we petitioned with the township for two years and
16 rebuilt it, renovated the whole thing.

17 Added two floors. Added a kitchen which it didn't have
18 previously. And opened up in about 2006.

19 Q And is there a chain of Kelly's or is this just an
20 isolated individual bar?

21 A This is just an individual family bar.

22 Q And a little bit about the bar itself. How is it, is
23 there bartenders, servers?

24 Could you tell us a little bit about the structure inside
25 the bar, please?

1 A Yes. So we are open seven days a week. We do lunch and
2 dinner. We hire bartenders that serve the bar.

3 We hire servers that take the table service. We have a
4 full kitchen staff.

5 We have security for late night. I have a manager at each
6 location.

7 I have an executive chef at each location. It's a family
8 establishment.

9 Q And do you have an HR department?

10 A That's me.

11 Q So you're an accountant and HR?

12 A I am everything.

13 Q Okay. And you said it's family. What do you mean by
14 that?

15 A I mean, it's just Gene and I. We don't have kids. So
16 it's our livelihood. It's our investment. It's our business.

17 Q And you said, Gene, it's his livelihood. Does Gene also
18 work other places?

19 A He does.

20 Q Where else does Gene work?

21 A Gene works in Houston, Texas, as a commodity trader.

22 Q And is that a full time, part-time --

23 A Full-time job.

24 Q I'm sorry?

25 A Full-time job.

1 Q How often is he, then, at Kelly's, if you're aware?

2 A When he's in town, every day. Every day, I would say,
3 when he's here.

4 Q And how often is he in town?

5 A It varies. He travels international a lot. So there was
6 one year he traveled to over 200 days a year.

7 So it varies. But he's very involved when he's available.

8 Q Okay.

9 MR. SCHADLER: Now, I'm sorry, he stood up, I thought
10 he was making an objection.

11 JUDGE CARISSIMI: That's quite all right.

12 Q Now, as far as your involvement at the restaurant/bar, and
13 when I say, restaurant/bar, I understand there's other ones.
14 I'm just talking specifically about Kelly's.

15 A Okay.

16 Q What is your involvement? How do you run the
17 establishment and really, what's the hierarchy of individuals
18 there?

19 A Okay. Like I said, we have a manager at Kelly's that is
20 in charge of the day to day general operations.

21 The dinner service, the lunch service, the scheduling, the
22 hiring, the firing, the updating the menu.

23 The computer system, the bank, the daily bank
24 reconciliations. The bank establishments and replenishments.

25 They handle the four walls from the time they come in to

1 the time they leave for that day.

2 Q Will you assist on some of those duties?

3 A Absolutely. I'm very involved with the managers.

4 Q And what about the staff? How is your policy as far as
5 dealing with the staff specifically coming to you?

6 A I have told every employee they have a -- we have an open
7 door. People can come to us at anytime about anything.

8 It's in our handbook, that, you know, we wrote years ago,
9 we want to know when there is a problem, so we can try to fix
10 it.

11 Q And have you ever retaliated or disciplined someone for
12 coming to you?

13 A Not for coming to me, no. Have I had to fix things after
14 things are brought to my attention? Yes.

15 Q And that's what I mean in the sense of, have you ever
16 retaliated or disciplined someone using those words and not my
17 words, but have you ever done that because someone just came to
18 you with a concern they had?

19 A Never.

20 Q And talk to me a little bit about, you said there's
21 managers. Do you try to support their decisions?

22 A I do as long as their decisions are for the benefit of the
23 group.

24 I have to make sure that if the policy, or if a decision
25 is made, it affects everybody the same way and it doesn't bring

1 other people down.

2 There's not one person to think about. You have to think
3 about collectively. It's a family.

4 I treat my employees like they're my family. And I always
5 think they think of me as family.

6 So I always have to be in the best interest of everybody.

7 Q Now, you talked about an open door policy. Do you have a
8 cell phone?

9 A I do.

10 Q Do you provide your employees your cell phone number?

11 A Every day.

12 Q And do you have an email address?

13 A I do.

14 Q And do you provide employees your email address?

15 A Yes.

16 Q And do they reach out to you on those?

17 A Yes.

18 Q Now, the shift. I want to talk to you specifically about
19 shift scheduling. How is shift scheduling done at Kelly's?

20 A The shift scheduling, it's a weekly schedule. It's
21 supposed to come out on Wednesday for the following week.

22 We ask everybody if they need time off, if they have
23 restrictions, they need to let us know at least a week ahead of
24 time so we can accommodate their schedule.

25 I would say 80% of my staff have children. So we're very

1 cognizant about working with that. So I have to know when they
2 have issues that we need to work around.

3 We have, and we've had for years, it's called an
4 availability calendar. It's a spreadsheet I've put together.

5 And it lays out people's names, their jobs, their
6 telephone number, their email, the dates they can work, they
7 dates they cannot work.

8 If they have a school schedule it's listed there. If they
9 have a vacation coming up, it's listed there.

10 It's the only way to conglomerate everybody so there's not
11 double coverage or there's not somebody scheduled for a time
12 they can't work. So that is considered when the schedule is
13 written.

14 The managers look at the availability calendar and they
15 write the schedule for the next week, balancing out people's
16 needs, people's time off requests, making sure it's a balanced
17 schedule and it's fair to everybody.

18 Q Now, you talked about availability calendar. How is it
19 that you gather the information?

20 And specifically talking about, you had said that they,
21 asked for time off when they can or can't work. Where do you
22 get that information from?

23 A They're supposed to email myself and Gene and a manager,
24 so everybody is in the loop and there's no problems with, I
25 asked off this date, they didn't honor it, that's why I didn't

1 show up.

2 Q And did you do an availability calendar as it pertains to
3 Ms. Helms?

4 A I did not. My manager at the time did update the
5 information that I created.

6 Q And were you provided that?

7 A Yes.

8 Q And as part of it, did you schedule based upon that
9 availability calendar?

10 A Yes.

11 Q And just so I'm clear, do you see Ms. Helms in the
12 courtroom?

13 A I do.

14 Q And can you please identify her for the record?

15 A Yes. She's to my right.

16 MR. SCHADLER: Identifying Ms. Helms, Your Honor.

17 JUDGE CARISSIMI: It's clear that Ms. Helms is
18 present in the courtroom. She's the Charging Party.

19 MR. SCHADLER: Yes. If I may, Your Honor.

20 JUDGE CARISSIMI: You may.

21 MR. SCHADLER: Thank you. May I approach, Your
22 Honor?

23 JUDGE CARISSIMI: You may.

24 MR. SCHADLER: Thank you.

25 Q I'm showing you what I liked to have marked as Exhibit 2,

1 I believe, page 1 and page 2.

2 JUDGE CARISSIMI: That's correct.

3 MR. SCHADLER: Understanding my duties to provide
4 copies, Your Honor.

5 JUDGE CARISSIMI: Yes.

6 BY MR. SCHADLER:

7 Q Showing you what I've collectively marked as Exhibit 2,
8 page 1 and page 2. If you could, please, identify first
9 Exhibit 2, page 1.

10 A Yes.

11 Q What is that document, Ms. Mitchell?

12 A This is the availability calendar for the bartenders at
13 Kelly's Tap Room.

14 Q And does that fairly and accurately depict the
15 availability calendar that you were using at that time?

16 A Yes.

17 Q And what timeframe is that?

18 A This was as of May 9th, 2014.

19 Q And turning to page two, what is page two?

20 A This is the same calendar, effective January 2nd, 2015.

21 Q And does that fairly and accurately depict the
22 availability calendar for that date and time at Kelly's Tavern?

23 A Yes.

24 (Respondent Counsel's Exhibit R-2 identified)

25 MR. SCHADLER: Your Honor, at this time I'd move to

1 admit Exhibit 2, both pages 1 and 2.

2 JUDGE CARISSIMI: Is there any objection to
3 Respondent's Exhibit 2?

4 MR. FAYE: May I be able to look at it one more time,
5 please?

6 JUDGE CARISSIMI: Yes.

7 MR. FAYE: Since I don't have a copy.

8 MR. SCHADLER: It's --

9 MR. FAYE: Oh, it's in the --

10 MR. SCHADLER: Yes, that's it. Respondent's Exhibit
11 --

12 MR. FAYE: The subpoena documents.

13 MR. SCHADLER: Yes, that's correct.

14 MR. FAYE: No objection, Your Honor.

15 MR. SCHADLER: Thank you.

16 JUDGE CARISSIMI: Respondent's Exhibit 2 is admitted.

17 (Respondent Counsel's Exhibit R-2 received)

18 BY MR. SCHADLER:

19 Q And is Ms. Helms on that schedule?

20 A Yes.

21 Q And what was her availability that she provided to the
22 bar? Kelly's?

23 A On which one?

24 Q Both of those. If you could please give us the date and
25 her stated availability time.

1 A Okay. As of May 9th, 2014, she said she can only do
2 Thursday after 8:00. Anytime Friday, Saturday and Sunday.

3 Q And page two?

4 A Page two, only Thursday after 8:00, anytime, Friday,
5 Saturday and Sunday.

6 Q Thank you. Continuing talking about the shifts. Are you
7 aware of, from what I'll use the phrase, "shift jockeying?"

8 A Not directly. I do not know there's a lot of jockeying
9 for shifts.

10 I know people have been very pleasant to pickup shifts
11 when people call out or get sick.

12 I wouldn't call it shift jockeying, 'cause I don't think
13 they're playing a game.

14 They're just trying to help keep coverage and be a part of
15 the team. And I, yeah.

16 Q Now, specifically, turning your attention to the
17 scheduling of the shifts. What are the preferred shifts?

18 A Thursday, Friday, Saturday.

19 Q And why is that?

20 A Those are the busy night shifts for the students.

21 Q And are they generally the most lucrative shifts?

22 A They are. They can be.

23 Q Can -- I'm sorry?

24 A They can be.

25 Q Now, turning specifically to Ms. Helms. Do you recall her

1 employment at Kelly's?

2 A I do.

3 Q And can you please tell us approximately when she worked
4 there?

5 A She started around March or April 2014. And she was there
6 until April 30th, 2015.

7 Q And what was her status as an employee there? Was she
8 full time, part time?

9 A She was part time.

10 Q And what shifts did she usually work?

11 A She would usually work Thursday, Friday, Saturday.

12 Q And did you receive any complaints during her time from
13 either managers or staff about working with Ms. Helms?

14 A I did get a lot of complaints about people who worked with
15 Robin.

16 Q And what were the nature of those complaints?

17 A They said she complained a lot. Not specifically what
18 about, but she complained. She was negative, and they didn't
19 want to work with her.

20 Q You said they didn't want to work with her. What did they
21 specifically request, if anything?

22 A We have two levels. And sometimes we move people around
23 between levels.

24 We constantly try to rotate who's upstairs versus
25 downstairs. So one, people don't get too comfortable at one

1 bar.

2 Q Why?

3 A Where kids could know like the second floor, you know,
4 this guy may not card, you go up there.

5 But if you're rotating them with who they work for, not
6 only does it, one, prevent theft since they share drawers, it
7 prevents bartenders from allowing certain people to drink.

8 And it also just fosters better teamwork, so people don't
9 constantly get scheduled with the same people. They work with
10 each of them.

11 And when we started doing this with Robin, a lot of people
12 came to me and said, "I don't want to be scheduled with her
13 upstairs.

14 I don't want to be scheduled with her downstairs. I would
15 rather be scheduled somewhere else."

16 Q And did they provide a reason for that?

17 A They said they just got tired of her complaining.

18 Q Now, did you speak to her about that?

19 A I did not.

20 Q Okay. Why is that?

21 A There's a difference between complaining. I mean,
22 everybody complains about something. And to me it wasn't a
23 complaint that I would write her up for.

24 Every time I saw her, she did a good job. She was a good
25 bartender.

1 But I did try to honor, when people said they didn't want
2 to work with her, I would try to accommodate them to keep the
3 team happy.

4 Q And did you ever have a manager speak with her at all?

5 A About the complaining?

6 Q About anything. Complaining or if there's something else.

7 MR. FAYE: Your Honor, objection. About any --
8 asking her whether she ever spoke to a manager about anything.
9 That's too general.

10 JUDGE CARISSIMI: I'll sustain that objection.

11 MR. SCHADLER: If I may, I'll rephrase it.

12 BY MR. SCHADLER:

13 Q Did you ever have a manager speak with her about any
14 disciplinary issues?

15 A Yes.

16 Q And when was that?

17 A Summer 2014.

18 Q And what was the issue there?

19 A We hire a third party spotting company to identify
20 problems in the bar. They are anonymous. And they come in and
21 write a report.

22 They look at service, they look at cleanliness, they look
23 at problems that -- I can see this stuff every day, but when
24 big brother's in the room, nobody's going to make a mistake.
25 They're going to make a mistake when I'm not there. So

1 that's why I hire them.

2 And a spotter report had come back and it had said Robin
3 was identified as giving away drinks for free.

4 Q And is that against policy?

5 A Absolutely.

6 Q And, what, if any, steps were taken?

7 A I contacted the manager at the time right away. Sent her
8 the report and said, "You need to meet with Robin, you need to
9 get to the bottom of this."

10 Q And was there any further disciplinary action after that?

11 A She was brought in. And it was discussed. And Robin said
12 she does not recall that happening.

13 I do specifically remember she was very defensive about
14 it. I get these spotter reports three days a week.

15 I try to give people the benefit of the doubt. She had
16 been asked about it. We had told her this is a problem.

17 Told her why it would be a problem. And that was really
18 it. I wasn't going to fire her because I know there's always
19 two sides to one story.

20 But when that gets identified in a spotting report, you
21 have to address it right away.

22 JUDGE CARISSIMI: What manager did you speak to about
23 this?

24 THE WITNESS: Kristin Lane.

25 JUDGE CARISSIMI: Were you present at the meeting?

1 THE WITNESS: I was not. I got the summary email
2 about the meeting.

3 JUDGE CARISSIMI: So the meeting was between Ms. Lane
4 and Ms. Helms?

5 THE WITNESS: Correct.

6 JUDGE CARISSIMI: Okay. You may continue, Counsel.

7 MR. SCHADLER: Thank you, Your Honor.

8 BY MR. SCHADLER:

9 Q Now, I'd like to take you to April of last year. And ask
10 you about situations involving Robin.

11 Did there eventually become a situation involving Robin at
12 the bar?

13 And I was way too broad with that question. Let me focus
14 you.

15 First off, did you have an occasion to have to make new
16 hires? Let me focus it that way.

17 A Absolutely.

18 Q And why was that?

19 A Rotation of staff. People leave, people come, people get
20 transferred, they graduate. I'm constantly hiring.

21 Q And during that time, who had left the bar during that
22 time?

23 A During what time? Sorry. During what time?

24 Q During April, the April time we're talking about, March,
25 April.

1 A I had Mike Bevivino, my senior bartender, lead bartender,
2 had just given notice. He was leaving in April.

3 Sarah Clark was graduating. We had just been through an
4 audit with the Department of Labor and I could not afford to
5 schedule anybody more than 40 hours because of the overtime
6 'cause I'm a small business.

7 We were getting some complaints about people's schedule
8 close to open, where they close the bar at 2:00 in the morning
9 and then they open at 11:00. That is affecting performance.

10 So I stopped that and I did not want anybody working
11 doubles because we were in the busy time and it's just too
12 strenuous to be on your feet from 10:00 a.m. 'til 2:00 a.m.
13 And I had shifts to fill.

14 Q Now, how many hires did you make at that time?

15 A I hired three people.

16 Q And who were those three people if you recall their names?

17 A Chelsea Heyward, Lisa, I can't remember her last name.
18 And Alisha Diggins, I think.

19 Q And around that time, did you receive any word regarding
20 Robin and her shift scheduling for anyone.

21 I'm speaking specifically in the timeframe of when Mike
22 was leaving and the new hires were coming in.

23 A Yes.

24 Q What was that information?

25 A I received an email from my manager at the time, Ryan

1 Henry, said Robin is concerned about her shift.

2 Q And was there anyone else that expressed concern about
3 that?

4 A He said specifically Robin and Chris Flood are concerned
5 about their shifts.

6 Q And said their shifts?

7 A Yes.

8 Q Did they mention anyone else in the email?

9 A No.

10 Q And, Chris Flood, does she still work there at the bar?

11 A She does, yes.

12 Q What position does she work at?

13 A She is my cash and inventory manager.

14 Q Is that a position above or below bartender?

15 A Above.

16 Q Now, you had talked about Chelsea Heyward. I'd like to
17 focus on her a little bit.

18 When she came in for an interview, what was your thoughts
19 of Chelsea?

20 A Very outgoing, very bubbly. The perfect person to
21 represent the brand. At the time, like I said, I was replacing
22 a bar manager.

23 And she had a lot of experience she could bring to the
24 table.

25 Q Let me stop you. So when you say bar manager, I'd ask if

1 you could use names.

2 A Mike Bevivino --

3 Q Okay.

4 A -- who handled -- he did the beer ordering. He did the
5 beer inventory.

6 He managed the keg room. He did the tip distributions at
7 the end of the night.

8 He set up the things for the following day. He was the
9 senior person.

10 He could singlehandedly run the restaurant by himself. And
11 losing him opened many holes.

12 Q And when you saw Chelsea and met with her, what was your
13 thoughts?

14 A She had experience with training people. She did mention
15 she had done some HR work.

16 We briefly spoke about inventory. And she said she had
17 done a little bit of the ordering.

18 She appeared to be someone I could train to possibly take
19 a lot of the role that Mike used to serve.

20 Q And what was your eventual plan potentially for Chelsea?

21 A I wanted to roll her into a bar manager.

22 Q Now, and I neglected to ask this question, so I want to
23 step back for a second. Did you discuss with Gene the email
24 you received from Ryan Henry regarding Robin's shifts?

25 A I don't remember. Probably not, 'cause that's not

1 something -- to me it's so insignificant. There were so many
2 reasons I needed to hire people.

3 Probably not. It wouldn't have been something I would
4 bring to his attention.

5 Q And the complaints that you had or that you received from
6 management regarding Robin, were there any that were other than
7 -- you said, sorry.

8 Were you ever made aware of Robin complaining on behalf of
9 her fellow employees?

10 A No.

11 Q What was the information you received from Robin's
12 requests of managements or complaints?

13 A I'm sorry, repeat?

14 Q What was the information, you had said no to that
15 question. What was the information you had received as far as
16 Robin's request?

17 Were they personal to her or on behalf of other people?

18 A They were just her.

19 Q Now, Chelsea Heyward, you had said that you had a lot of
20 hope for her. What took place with Chelsea? Anything that
21 caused you concern?

22 A She gave notice shortly after she had worked there for a
23 week or two. She put her notice in.

24 Q And just so the Court and all of us can understand, an
25 approximate timeframe for that?

1 A April 28th, maybe.

2 Q Of?

3 A Of 2015.

4 Q Excellent. (Coughing). Excuse me, my apologies. And
5 when did Chelsea start there approximately?

6 A I don't remember her exact date.

7 Q Not exact date. But can you give us a timeframe before
8 that phone call?

9 A I hired her on April the 9th. Usually people start
10 training. I try to get them in right away. So maybe April the
11 next week she would have started.

12 Q And was she assigned anyone specifically?

13 A She was assigned to a few people on her training shifts.

14 Q Okay.

15 A The first shift she shadowed Sarah for a few hours. I
16 remember I dropped off staff shirt for her, I gave her new hire
17 paperwork.

18 First day's really just to orientate you to the
19 restaurant.

20 JUDGE CARISSIMI: Ms. Mitchell, Sarah's last name?

21 THE WITNESS: Sarah Clark, sorry. The second day, I
22 assigned her with Robin to train on the bar.

23 Q And turning to that phone call then that you received from
24 Ms. Heyward, what was the substance of that phone call? If you
25 could relay that to the Court and everyone, please.

1 A I called Chelsea because I wanted to know what happened.

2 Q If I may stop you, I apologize. What prompted you to call
3 Chelsea?

4 A 'Cause she quit.

5 Q How did you learn that?

6 A Because she emailed me.

7 Q So the email went to you?

8 A Yes.

9 Q Okay. And what did the email say?

10 A I found another job.

11 Q All right. And what, you said you called her. Could you
12 pick up your testimony with that point, please?

13 A I called her right away and asked her I didn't understand.
14 We had a great interview. I interviewed her as well as Gene
15 Mitchell.

16 I had high hopes for her. She was confident and bubbly.
17 I didn't know why so soon someone would quit. And out of the
18 blue.

19 And I was not the feeling I got from her that she didn't
20 want to work for us. So I wanted to get to the bottom of it.

21 Q And, what, if anything, did Chelsea Heyward relay to you
22 about her resignation from Kelly's?

23 A She was very hesitant to talk to me about it, because she
24 is not the type of person that talks bad behind people's back.
25 She made a lot of claims that people are negative.

1 And they told me that you got, you and Gene Mitchell hire
2 people to fire people, that she's not going to make any money
3 at Kelly's and it's not the environment she wants to be in.

4 Q Did she identify who these, "people"?

5 A She did. I kind of kept after her because I wanted to get
6 to the bottom of the back -- who's saying these things and
7 what's happening.

8 It wasn't until like -- I kept hammering her that she gave
9 up the name. And she said it was Robin that was mean to her
10 and said these nasty things.

11 Q Did she also -- oh, I'm sorry, I didn't mean to cut you
12 off.

13 A She even said Robin Helms is a racist.

14 Q What was your response to that?

15 A I wanted to throw the phone. I had no idea what she was
16 going to tell me but that was unacceptable. I asked her, you
17 can't just say that and not tell me what's going on.

18 So she told me that she was on shift with Robin, and a
19 customer, which was black, came for service. And Robin denied
20 her and said, "I'm not going to serve you."

21 And told Chelsea that's she's not going to serve her.
22 She's black.

23 Q What, I'm sorry.

24 A And Chelsea said, "This would kill your business if
25 everybody does this, you know, you can't not serve somebody

1 because they're black."

2 And I said, "Well, what did you do?" I'm thinking
3 immediately all these problems that are going to happen if I
4 don't figure out what happened.

5 Q Let me stop you real quick. What race is Chelsea Heyward?

6 A She's black.

7 Q And what concerns, and I know you roughly articulate this,
8 but I want to kind of break it up a little.

9 What concern did you have hearing about a bartender at
10 Kelly's refusing to serve an African American patron?

11 A That's not, for one, that's not who we are. And anything
12 a bartender does when they're in our statures, in our
13 restaurant, is us. It's a reflection of us.

14 So I'm thinking about who else heard her say that. I'm
15 thinking how could she -- I'm thinking, Chelsea thinks we're a
16 racist bar. It was -- my mind -- anyway, I was so upset.

17 I asked Chelsea what she did for the customer, did she
18 serve, did she smooth it over, how was it left with the
19 customer.

20 And she said she took care of the customer. Everything
21 was fine.

22 She actually got a really good tip out of it, but she
23 needed to let me know that these things were happening.

24 Q And what kind of, you said this is located in the
25 Villanova.

1 And, I apologize, if you said Villanova or if you said the
2 more section of the area. What kind of area is this as far as
3 issues with race?

4 A I mean, we're on the main lane. I would say not a lot of
5 our population is black, but it's enough -- it's a suburb of
6 Philadelphia, I mean, we're diverse.

7 Q Was there concern about reaction from the community, if
8 they got out that Kelly's refused to serve black people?

9 A Absolutely.

10 Q What was your concern?

11 A I was concerned it could get out, people think we're a
12 racist bar.

13 Q What would that have done to business if --

14 A It would have killed it.

15 Q And were you ever concerned about any of the legal
16 ramifications?

17 A Absolutely.

18 Q What were your concerns about the legal ramifications?

19 A I immediately thought Chelsea could sue me today probably
20 for a racist remark to a minority employee.

21 Q Did Chelsea relay to you any concerns she had about
22 providing you the identity, the person that told --

23 MR. FAYE: Objection, leading.

24 JUDGE CARISSIMI: Overruled.

25 Q Did Chelsea make any remarks about concerns she had

1 providing this information?

2 A Yes.

3 Q What did she say?

4 A She asked me if -- she was worried to be telling me who
5 said it because she still worked there at the time.

6 Q Who's she?

7 A Chelsea Heyward still worked at Kelly's. And she didn't
8 want to have a conflict at the bar with Robin Helms, because of
9 information she gave me.

10 She said, "I don't like to talk bad about people. I still
11 have to work with her. This can't come back that you heard it
12 from me."

13 Q Okay. Did you, after that phone call, decide a course of
14 action as far as you or did you discuss --

15 A I did.

16 Q What was the course of action?

17 A I set up a plan to I was going to lie to get her to admit
18 that she did not serve a black person and to get it out of her
19 what happened without disclosing Chelsea.

20 Q What was your motivation --

21 A Chelsea Heyward.

22 Q What was your motivation in coming up with what I'll call
23 rouse?

24 A I've had 50 -- anytime of the year, I'll have 50 people
25 working for me. And I always give people the benefit of the

1 doubt.

2 I wanted to talk to Robin Helms and find out her side of
3 the story without putting other people under the bus. And that
4 was the only way I could come up with a plan.

5 Q And what was the rouse that you came up with?

6 A I said, I've got listening devices, you can't deny this,
7 this is what happened.

8 Q And what was the plan as far as whether you set up
9 anything with Robin to discuss this?

10 A Sorry?

11 Q What was the plan? Did you set up anything with Robin
12 with regards to this?

13 A No really set up anything. Like I said, the call was with
14 Chelsea, was on April 28th.

15 I looked to see when the next time Robin was working,
16 Robin Helms was working. And I told Gene Mitchell about this.

17 Q About what?

18 A About the racist comment and what we should do. And on
19 her shift on that April 30th at 5:00, I asked her to come to the
20 office to talk about some issues.

21 Q And could you please tell us first off how that meeting
22 went, who was there, what was the nature of the meeting?

23 A So I know I didn't want to start the conversation until
24 Gene Mitchell was there. He was late. So I was kind of
25 fluffing wait for him to get there, so we could get into it.

1 I had given him all the notes about Chelsea Heyward. And
2 when he came down, he started talking to Robin Helms and said -
3 -

4 Q Let me.

5 A Okay.

6 Q Where did it take place at first off? Give me this
7 location.

8 A It took place at the office at Kelly's.

9 Q Where is that located?

10 A In the basement.

11 Q And had you told -- you said you told him about the
12 conversation with Chelsea.

13 Prior to that meeting, had you told him about any of the
14 issues regarding shift scheduling at all?

15 A Nothing.

16 Q And when he came down, who was in the room and can you
17 just give us a little bit of layout, please?

18 A It was Ryan Henry, the manager, at the time. Robin Helms
19 had just come down. I was already in the office.

20 And then Gene joined us maybe three minutes later.

21 Q And what was the nature of the conversation if you could
22 please provide that.

23 A The nature of the conversation, it started with Gene
24 asking Robin if she's happy. If what's going on. Are the kids
25 getting to you, is the late night getting to you.

1 What's going on. And she said she was miserable. And he
2 said when people get tired and stressed out, things come out.

3 And we brought the issue, well, I did. I said, "Did you
4 deny service to somebody 'cause you said they wouldn't tip?"

5 And she denied it. And I said, "Robin, I have you on
6 tape. Did you deny service to someone?"

7 Now, I don't remember if I told her it was a black person.
8 I don't remember. But she did finally admit, yes, I did not
9 serve somebody because they didn't tip.

10 And I told Robin, "I have a lot of people that come in
11 here that are black. And this lady happened to be black. And
12 you said it to a black coworker."

13 And at that time I knew I had a lady I coordinate a lot of
14 parties with at Villanova. Her name is Arlesha Davidson. She
15 was coming in to set up a function.

16 And it was that night. And my first concern when I heard
17 the whole story was she might have said this to someone that
18 gives me a lot of business in the Villnova community.

19 Q What race is --

20 A So I asked Robin, what if this had been this lady I book
21 events with? And I don't remember what her response was.

22 But that's when Gene lost it and said, "I can't have this,
23 you're unhappy, we're unhappy, we can't run a business like
24 this.

25 You shouldn't be working here if you're this unhappy."

1 Q And you said that there's a woman at Villanova. What race
2 is that woman?

3 A She's black.

4 Q And when you say that they had this conversation, was
5 there any conversation at this time about the shift scheduling
6 at all?

7 A Nothing.

8 Q Was there any conversation about her and other employees
9 getting together for a shift schedule?

10 A Nothing.

11 Q And when Gene said this, did he mention at all that you
12 heard shift scheduling?

13 A No.

14 Q And you were saying that he had said, "You can't work here
15 if you're going to be unhappy."

16 A Right. Yes.

17 Q Could you please pick up with that part?

18 A He said, "You can't work here if you're unhappy. These
19 things are what happen." And she said, "Okay." And he left.

20 Q And did you stay?

21 A I did.

22 Q And what was the nature of the conversation after that?
23 What took place?

24 A I mean, it was kind of a stunning moment.

25 Q Why?

1 A Because nobody went -- we didn't meet at the anticipation
2 of it ending that way.

3 It evolved that way, and when she said she's unhappy, she
4 admitted she didn't serve the lady. And it was more, it felt
5 to me like a mutual separation.

6 Q Why do you say --

7 A You're unhappy, we're unhappy, these are what happened,
8 let's just part ways. So it was a stunning moment that I
9 didn't expect it to go that way.

10 I didn't know that meeting was going to go like that. But
11 it did. So I stayed so to listen.

12 Because by then it was done. She was no longer an
13 employee.

14 Q Okay.

15 A And I did ask her, I'm like, what's going on? And she
16 said, "It's miserable.

17 I feel like I'm walking on," she did say, "I feel like I'm
18 walking on eggshells everyday."

19 And I continued to listen, because that's my -- sometimes
20 immediately after a separation, that is my only chance to
21 obtain any information to help the rest of the structure.

22 It's kind of an informal exit interview. But it's the
23 only way for me to absorb things that are going on after
24 somebody is separated.

25 Q And what did she say?

1 A She did mention she was upset about all the new hires.
2 She didn't like not knowing when she was going to be scheduled
3 if she was going to be scheduled. And it bothered her.

4 Q Now, to be clear, did any of that take place before the
5 termination?

6 A No.

7 Q And did you bring any of that up to Gene in anticipation
8 of that meeting?

9 A No.

10 Q And the issue of not serving a black patron, is that
11 against your handbook?

12 A If it's not in the handbook, it should be. And that's
13 unacceptable. You're there, you're a bartender.

14 Personally, I don't care if you get a great tip or no tip,
15 the service is the same. You were there to serve a drink. You
16 were there to sell a burger.

17 Q Have you ever been in the presence of Robin or anyone
18 where they talked about policy not to serve people that are
19 tipping?

20 A I have never heard that policy.

21 Q And if you had heard that policy, what would your reaction
22 be?

23 A I would be about as irate as I was yesterday hearing it
24 for the first time.

25 Q What is that?

1 A That's not who we are. Sometimes you get a good tip,
2 sometimes you get no tip, it doesn't matter. Your service is
3 the same.

4 That's what you're there for. If you don't like that, go
5 find another job.

6 Q If you would have found out about that policy, would you
7 have addressed it?

8 A I would have. And I will.

9 Q Now, talking to your availability to your staff. You said
10 earlier you had mentioned that. But I wanted to go into it a
11 little further.

12 Some of the modes of communication you have with your
13 staff. How does that correspond with you?

14 A They call me, they text me, they email me. I had people
15 come to my house.

16 Q Have you ever been beligerant to someone who's reached out
17 to you?

18 A Not that I know of, no.

19 Q Have you ever punished someone for reaching out to talk to
20 you?

21 A Never.

22 Q Would you ever punish someone for reaching out to talk to
23 you?

24 A No.

25 MR. SCHADLER: Your Honor, I'm going to start with a

1 significant apology to the Court. Due to the nature of -- can
2 we go off the record one second, Your Honor? I don't know this
3 should stay on the record.

4 JUDGE CARISSIMI: Off the record.

5 (Whereupon, a brief recess was taken)

6 JUDGE CARISSIMI: During our off-the-record
7 discussion, Mr. Faye has been reviewing documents that the
8 Respondent has provided to him.

9 And apparently there's another set also. So pursuant
10 to the agreement by the parties, which is acceptable to me, we
11 are now going to suspend the examination of Mrs. Mitchell,
12 because the documents that are being reviewed, are those which
13 Respondent's Counsel would wish to introduce and question her
14 about it.

15 So we are now going to proceed with the testimony of
16 Mr. Mitchell. And we're doing this so that there can be
17 further review of the documents over the luncheon recess.

18 And argue this will expedite the file of the case.
19 Did I correctly state the understanding, Mr. Schadler?

20 MR. SCHADLER: Your Honor, yes, that there would be
21 the right to recall Ms. Mitchell after review is done.

22 But also that Mr. Mitchell, should there be a
23 relevant question in his testimony wrapped up for the limited
24 purpose of anything that related to the documents.

25 For that limited purpose only we would have the right

1 to recall him. And we understand that course of instruction to
2 be very clear about that limited purpose.

3 JUDGE CARISSIMI: Correct. And, Mr. Faye, this
4 approach is acceptable to the General Counsel?

5 MR. FAYE: Yes, Your Honor.

6 JUDGE CARISSIMI: Very good. Mr. Mitchell, you've
7 been previously sworn as a witness, so I won't administer the
8 oath again. I will merely remind you, sir, that you are still
9 under oath.

10 THE WITNESS: Yes, sir.

11 Whereupon,

12 EUGENE MITHCHELL

13 Having been before duly sworn, was called as a witness herein,
14 and was examined and testified as follows:

15 JUDGE CARISSIMI: Very good. Mr. Schadler, you may
16 proceed.

17 MR. SCHADLER: Thank you, Your Honor.

18 DIRECT EXAMINATION

19 BY MR. SCHADLER:

20 Q And, Mr. Mitchell, I poured, that's your glass of water.

21 A Thank you.

22 Q You're welcome. If you could please state your full name
23 for the record.

24 A Eugene Mitchell.

25 Q And what's your current occupation?

1 A I currently work for a trading company based out of
2 Houston.

3 Q And is that a full time or part time job?

4 A Full-time job.

5 Q And if you could please tell us your duties for that
6 company.

7 A I'm the director of international trade for various bulk
8 commodities, fuels, cement, boxide, things like that.

9 Q And does that require you to travel?

10 A Yes, extensively.

11 Q And are you also involved in the ownership of any
12 restaurant related to this matter we're here for today?

13 A Yes. I'm the majority of the Mid-Atlantic Restaurant
14 Group, which owns Kelly's Tap Room.

15 Q And how often are you juggling these two jobs that you
16 have? Do you have any other jobs, Mr. Mitchell?

17 A At the moment, I do not. Well, I have ownership in two
18 other restaurants which I'm active in as well. But, no, just
19 those couple jobs.

20 Q Other than those four jobs, you're clear?

21 A Yes.

22 Q Now, understanding that you're a full time commodities
23 trainer in, you're saying, Houston, Texas, just so we're clear?

24 A Yes.

25 Q Then these are located in Pennsylvania.

1 A Yes.

2 Q Do you travel internationally for that job?

3 A Yes.

4 Q Where do you travel to?

5 A India, China, Brazil. I've been to more than 50 different
6 countries in the last 10 years.

7 Q And how much time are you able then, ballpark, you
8 understand it's not consistent, but how much time do you
9 average that you will spend at Kelly's specifically?

10 A I mean, it varies. If I'm home, you know, we're there
11 quite a bit. If I'm out traveling, it could be weeks.

12 So it's difficult to say, I guess. On an annualized
13 basis, I'm in the restaurant maybe 30 days a year, maybe 40.

14 Q And if you could please describe your role with the
15 restaurant, specifically Kelly's.

16 A Yeah. So I'm the managing member. So my responsibility
17 is to make sure that the restaurant is properly staffed and
18 organized for the partners that are shareholders in the
19 company.

20 So it doesn't mean that I am involved in cooking the
21 cheese steaks or serving the drinks, it just means that we have
22 proper staff.

23 My wife, Angie, is the day to day manager of Kelly's, who
24 has a then full time on the spot manager that manage the
25 internal operations of the restaurant.

1 Q And just so we're clear, when you say, Angie, you mean
2 Angie Mitchell.

3 A Angie Mitchell, yes.

4 Q And as far as it pertains to the hierarchy in your view,
5 how does that hierarchy work and how does your role fit into
6 that hierarchy, Mr. Mitchell?

7 A Yeah. So the staff reports directly to the onsite
8 manager. That's his responsibility, that onsite manager
9 reports to Angie.

10 And obviously Angie and I, being husband and wife and
11 owners of the business manage it from there.

12 So it gets difficult at times because employees will maybe
13 try to go around the manager. And it's important for us to try
14 to empower the manager to do their job.

15 We also had, when we first opened at Kelly's we had 22
16 retail stores with more than 500 employees. So we had that
17 same principle in those arenas as well.

18 I mean, it becomes impossible to grow a business and offer
19 employment to people if you had 500 people directly calling me.

20 So it's important to educate and empower the manager on
21 site to try to take care of various issues that come up in the
22 restaurant on a day to day basis.

23 Q And there are two things I want to ask you. First off,
24 those 30 stores you talked about, that's not restaurant
25 business related --

1 A They're not.

2 Q -- they're totally separate.

3 A They're completely separate.

4 Q And two is, you talked about empowering your managers, you
5 didn't want to have an end around. I want to speak a little
6 bit further about that.

7 You certainly want to empower your managers. If someone
8 brought an issue to you on an employee to speak with you about,
9 would you retaliate against them for that?

10 A No. I mean, you know, I'd like to think everybody does
11 everything perfectly.

12 But that's not the case. We didn't deter people from
13 coming to us. We absolutely wanted them to go to their
14 managers first.

15 But if there was ever a problem that the manager was not
16 addressing, either properly or properly or punctually, there
17 was open lines of communication.

18 Q And when you say open lines of communication, what methods
19 did you avail your employees to be able to contact you?

20 A Generally speaking, it was kind of, probably a joke in the
21 restaurant, it was email. And part of that is, is I travel a
22 lot.

23 I've got other things going on. It's the most efficient
24 way for people to contact me.

25 I mean, if you had 300 employees and everybody wanted five

1 minutes of your time by a phone call, there's only 1,444
2 minutes in a day.

3 That would be 1,500 minutes. So it's just not possible to
4 communicate efficiently with people. So email was the most
5 efficient way.

6 Q Did you make sure that the individuals that worked at
7 Kelly's had your email?

8 A Yeah. There's a weekly schedule that goes out. And on
9 that schedule, my email was on there, Angie's email was on
10 there.

11 People had ways to contact us. I would be very surprised
12 if all the employees do not also have our cell phone number.
13 I'm pretty confident they did or they had access to it.

14 Q And if someone emails you a question or a concern, did you
15 handle it either yourself or assign someone to handle it?

16 A Generally speaking, I would try to pass it back to the
17 manager to be more efficient and again to empower the manager.

18 If it was a serious significant issue, of course, as the
19 owner of the business, I become responsible.

20 I'm ultimately responsible. I have to take action.

21 Q Now, did you ever take action in a punitive manner against
22 anyone for reaching out to you about any problem they had?

23 A In a retaliatory manner?

24 Q Yes.

25 A No.

1 Q Did you ever punish people for bringing the concern they
2 had about your business to you?

3 A No, absolutely not. In fact, we had gone and spoken to
4 people, managers that may have been biased to people because
5 they've gone around them.

6 And that's not our modus operandum, persay. I mean, the
7 challenge process is good. It makes a business better. We're
8 okay with that.

9 Q And just to be clear about your business, you said that
10 Angie runs the day to day. This isn't a large business in the
11 sense you have an HR department or anything like that?

12 A Well, Angie's also the HR department, yes.

13 Q Angie wears many hats.

14 A Yes.

15 Q Now, I can talk to you specifically about Robin Helms.
16 Are you familiar with Robin Helms?

17 A Yes.

18 Q And how are you familiar with Robin Helms?

19 A Robin was a bartender at Kelly's Tap Room.

20 Q And approximately how long was she a bartender there? To
21 the best of your recollection?

22 A Maybe a year.

23 Q And did you receive any complaints or any issues in your
24 time as the owner of Kelly's with Robin?

25 A I did.

1 Q And what were those complaints?

2 A They were generally from her coworkers that she was very
3 difficult to work with. Robin on the nights that she worked
4 would work at the upstairs bar.

5 And I was getting more and more concerns from employees
6 that they didn't want to work upstairs with Robin because she
7 was just unpleasant to be around.

8 Q Were you ever aware of Robin bringing issues related to
9 her shift to the attention of managers?

10 A I'm aware, and I'm not sure if it was at the time or
11 subsequent because of all this that's going on, but I know that
12 Robin did speak to Ryan Henry about concerns about shifts at
13 some point towards the spring time before Robin left, because
14 new people were coming on.

15 Q Were those concerns related to her shifts? Or to other
16 people shifts?

17 A To her shifts.

18 Q And were you ever aware of concerns that she raised to any
19 management about other people's shifts?

20 A I am not.

21 Q Now, I'd like to draw your attention specifically to an
22 incident involving an employee by the name of Chelsea Heyward.
23 Are you familiar with her?

24 A Yes, I am.

25 Q If you could please describe how you came to understand

1 about the incident with Chelsea Heyward.

2 A Well, Chelsea Heyward quit. And she wasn't there very
3 long.

4 And Angie and I both had interviewed Chelsea and she
5 seemed like an intelligent, enthusiastic person. And we were
6 excited to have her part of the team.

7 There were several people that were going to be leaving
8 the restaurant like Mike Bevevino who was essentially the bar
9 manager who was leaving.

10 He had been there for six or seven years. Sarah Clark,
11 who had five shifts or four shifts a week.

12 She was leaving because she was graduating with her
13 graduate degree and moving to New York City.

14 So there was going to be several shifts that were going to
15 be vacant at a crucial time in our business which was right
16 around graduation time for Villanova in the spring.

17 And Chelsea was hired to take some of those shifts. And
18 she quit rather abruptly. We didn't know why. Angie reached
19 out to her to understand what happened.

20 And Chelsea explained to us that there was an incident on
21 one of the nights that she was working with Robin.

22 Q If you could please describe for the Court, myself and
23 everyone, the information you received about the incident with
24 Chelsea Heyward.

25 A As I said, Chelsea was working with Robin and there was a

1 patron at the bar that was needing service and Robin refused to
2 serve this patron.

3 And Chelsea questioned her on that. And there was an
4 issue that Robin said that person wasn't going to tip. And the
5 person happened to be an African American.

6 Chelsea is an African American. And there was some words
7 exchanged. And Chelsea wound up serving the patron. And the
8 patron actually then tipped Chelsea very well.

9 JUDGE CARISSIMI: How was that reported to you?

10 THE WITNESS: From Angie, who spoke directly to
11 Chelsea on this.

12 JUDGE CARISSIMI: And was that in a phone
13 conversation or in person?

14 THE WITNESS: With Angie?

15 JUDGE CARISSIMI: Yes.

16 THE WITNESS: It was in person.

17 JUDGE CARISSIMI: Thank you.

18 THE WITNESS: Yeah.

19 BY MR. SCHADLER:

20 Q And what else did she tell you, if anything, about the
21 information provided by Chelsea?

22 You said there was an incident. Did she say anything
23 specifically about the incident as it became to the race of
24 individuals?

25 A The race of the individuals?

1 Q Yes.

2 A Yes. The person that Robin refused to serve was African
3 American.

4 Q And did Chelsea provide, or I should say this. Did Angie
5 provide you any specific statements that Robin had made during
6 that incident?

7 A There was -- I don't remember specifically. It was
8 definitely minority discrimination in my mind, which was
9 alarming to say the least.

10 I mean, it's alarming that we're not serving patrons. But
11 it gets to a whole nother level and degree of escalation in my
12 mind when it involves an African American minority.

13 And particularly as it pertained to Chelsea because she's
14 also African American. And generally speaking, we thought she
15 was good for our business, so it was a concern.

16 Q You said specifically, you said alarms went off. And I'm
17 just going to try to focus on that.

18 What alarms went off in your head when you heard it was an
19 African American individual?

20 A Well, obviously, we don't condone discrimination. The
21 reverbertations in the community for an event like that should
22 it have been gotten to a higher level is very difficult to
23 overcome.

24 I mean, in any business. So that's a concern. So there
25 was a moral ethical concern on my part. And there was a

1 business concern on my part.

2 There was a concern because a good individual was leaving
3 the company because of this issue, so it was on several
4 different levels.

5 Q At any point during the conversation that you had with
6 Angie, did she relay any concerns or issues that she had with
7 Robin complaining about shift schedules?

8 A Sir, repeat, that, my ears are clogged up and I lost you
9 there for a second.

10 Q I understand. You're battling a cold here and I really
11 appreciate it. So if you need a minute --

12 A No.

13 Q -- I don't mean to speak for the Court but --

14 A No, I'm good.

15 JUDGE CARISSIMI: No, that's fine.

16 Q When Angie and you spoke about the situation involving
17 Robin, did Angie ever tell you anything about concerns with
18 Robin making statements about shift schedules?

19 A She did not, actually. No, she did not say anything about
20 that.

21 Q And what was -- when you heard the information provided,
22 you said provided by Angie, what was your course of action you
23 decided to take?

24 A That we needed to address this with Robin.

25 Q And specifically what mechanism or what plan did you put

1 in place to address the situation with Robin Helms?

2 A I wanted to speak to her on her next shift. And we did
3 that.

4 I was actually late getting to the restaurant and it was
5 because I was at work.

6 Q When you say, "work," specifically you were?

7 A I'm not sure at that particular time I was actually flying
8 in from work or when I'm at home I do work out of the house.

9 But either way I was delayed getting to the meeting, which
10 was supposed to be at 5:00 when Robin's shift was going to
11 start.

12 Q And what was your intention going into that meeting?

13 A The intention was just to understand what happened. We
14 had one side of the story, really, you know, to understand a
15 couple of things.

16 One, what happened with that specific issue, but then also
17 to address with Robin that there was some serious complaints
18 from her coworkers that they didn't want to work with her
19 anymore.

20 And I really wanted to understand what was happening from
21 Robin.

22 And I think that in general, if there's a problem, the
23 best way to understand the problem is to address it with the
24 person that's involved rather than the gossip that may go on in
25 the restaurants.

1 Q Now, in your chain of command that you like to bring
2 things to managers for them to deal with, were there reasons
3 that you specifically decided to deal with this personally?

4 A Yes. For two reasons. One is that the complaints had
5 been ongoing about Robin on the working with her.

6 And I was worried that they weren't getting properly
7 addressed. But this was sort of the paramount reason.

8 This was a big deal and it needed to be addressed
9 immediately right away and I wanted to make sure that it was
10 done properly and that I was understanding and aware of what
11 the situation was.

12 Q When you say, "this was the paramount reason," what was
13 the paramount reason?

14 A The issue that happened with Robin not serving an African
15 American.

16 Q And if you could please describe for myself and the Court,
17 you said you were late, could you pick up the story from that
18 point.

19 A Yeah.

20 Q When you arrived at Kelly's.

21 A So I arrived late. By the time I got there, Ryan Henry
22 was the manager at the time.

23 Was seated in the chair at the computer, but turned
24 around.

25 Angie was standing up and Robin was to the left of the

1 door.

2 They had already been there, because the meeting, again,
3 was supposed to start and I was late.

4 So I came in and said to Robin, "Look, I've got a lot of
5 complaints about your coworkers not wanting to work with you.

6 I understand now that you're not serving people because
7 you don't think that you're not going to get tipped."

8 And I didn't specifically reference Chelsea specifically
9 because I understood that Chelsea did not want to be named in
10 the issue, okay.

11 And I asked Robin, You know, what's going on? You seem
12 like you're burnt out, that you maybe are exhausted. And I
13 said, "I've been doing this for 10 or 12 years now.

14 I've seen it a lot, that kids can wear you down. And it's
15 late in the school year and it gets difficult."

16 And Robin said to me, "You're right. I should have left a
17 couple weeks ago. I can't take it anymore."

18 And at that point, I said, "Okay, I guess we're done
19 here."

20 And I assumed that the conversation was over and we agreed
21 that there was no need for her to work there any longer.

22 And I got up. And at that time, I actually left the
23 meeting.

24 Q Now, a few things, first off. Were you there at any time
25 when the situation regarding specifically not serving an

1 African American patron was brought up?

2 A No. We never got into that. I specifically said, "You're
3 not serving patrons because they do not tip."

4 Q And the other thing I would be specific is did the
5 conversation ever turn to her making complaints about shift
6 scheduling?

7 A No. We had no discussion at all at that time about shifts
8 or anything about a schedule. It was about those two issues.

9 Her coworkers not wanting to work with her and the issue
10 about not serving people because they don't tip.

11 Q And did it ever enter your mind during that conversation
12 about the shift scheduling?

13 A It did not.

14 Q Did you ever discuss that prior to that meeting with Angie
15 at all, that being an issue?

16 A That did not.

17 Q And after she said that you made a comment, did you pick
18 up at that point? You said that she said, "You're right, I
19 should," and I want you to pick up at that point.

20 A She said, "You're right, I am burnt out. They are wearing
21 me down and I should have left several weeks ago, or a couple
22 weeks earlier."

23 And at that point, to me, that was a mutual understanding
24 that this was no longer a place for her to work.

25 I mean, that she should not be here, she was burnt out,

1 she was unhappy.

2 And at that point, I got up and left the meeting.

3 MR. SCHADLER: Can I have a moment, Your Honor?

4 JUDGE CARISSIMI: You may. Let's go off the record
5 and tell me when you're ready.

6 MR. SCHADLER: Thank you.

7 JUDGE CARISSIMI: Sure.

8 (Whereupon, a brief recess was taken)

9 JUDGE CARISSIMI: You may proceed, Mr. Schadler.

10 MR. SCHADLER: Thank you.

11 BY MR. SCHADLER:

12 Q As far as your clientele, are you familiar with the makeup
13 of your clientele?

14 A Yes.

15 Q And do you serve as part of your clientele, is there a
16 portion of that clientele that's African American?

17 A Yes.

18 Q And did you have any concerns specifically with this
19 incident with that clientele?

20 A I had concern with all clientele. I mean, it's not a very
21 good thing to have broadcast about your restaurant.

22 It doesn't -- I mean, sure, I'm concerned about that
23 segment, but that more broad audience was the bigger concern.

24 MR. SCHADLER: Your Honor, subject to the discussion
25 we had earlier as far as the right to recall Mr. Mitchell, and,

1 of course, within the scope of whatever cross examination, I
2 have no further direct questions at this time.

3 JUDGE CARISSIMI: All right. Very good. So I guess
4 what you could do is you could cross examine Mr. Mitchell based
5 on what he's testified so far.

6 If you wish, then you could cross examine Mrs.
7 Mitchell based upon what she's testified so far.

8 So then the only thing we would have left is perhaps
9 additional direct examination of the documents and further
10 cross on that. All right?

11 MR. FAYE: Sure.

12 JUDGE CARISSIMI: That seems to make sense to me. So
13 since Mr. Mitchell is here, why don't you have your cross
14 examination of him first. Is that acceptable to you?

15 MR. FAYE: Yes, Your Honor.

16 JUDGE CARISSIMI: All right. You may proceed. Or do
17 you need some time to prepare?

18 MR. FAYE: Just a minute off the record.

19 JUDGE CARISSIMI: All right. Let's go off the
20 record. And you can tell me when you're ready, sir.

21 (Whereupon, a brief recess was taken)

22 JUDGE CARISSIMI: Mr. Faye, you may cross examine.

23 CROSS EXAMINATION

24 BY MR. FAYE:

25 Q I hope you're feeling better today.

1 A Okay.

2 Q Mr. Mitchell.

3 A Yes.

4 Q Is it correct that if you are traveling for business that
5 you could go a month without visiting the bar?

6 A That would be quite a long trip. I would say that would
7 be a very long time.

8 Q Do you recall giving an affidavit to board agent Christy
9 Bergstresser in which you stated that you travel often for
10 business, so when you're in town, you frequently visit the bar.

11 But if you're traveling, you could go a month without
12 visiting the bar?

13 A Possible. It's possible it could be a month, but it's
14 very unlikely that it would be more than a month.

15 Q Do you recall, though, informing the board agent in your
16 affidavit, which is a sworn statement, that you travel often
17 for business.

18 So when you're in town you frequently visit the bar, but
19 if you're traveling you could go a month without visiting the
20 bar?

21 MR. SCHADLER: Your Honor, I object to this point.
22 It's a procedural matter for lack of foundation.

23 If he's going to impeach him with the document, I
24 would ask him to show the document, so it can be authenticated.
25 But he just authenticated it himself on the record.

1 I have no objection to the document. I just want to
2 make sure that it's clear if he's showing him a document that
3 the witness has an opportunity to review it.

4 JUDGE CARISSIMI: Well, at this point, the witness
5 has indicated he recalls giving an affidavit.

6 But I will say, Mr. Faye, if we're going to get into
7 precise words, then I think we're going to have to go the route
8 we did yesterday.

9 If the witness's recollection is refreshed by a
10 question --

11 MR. FAYE: Yes.

12 JUDGE CARISSIMI: -- with you looking at the
13 affidavit. But if we're going to get into semantics about
14 words, which can be very important, then we're going to have to
15 actually use the language of the affidavit.

16 MR. FAYE: I have no problem with that. I think I
17 just asked him the initial question to see first --

18 JUDGE CARISSIMI: Right.

19 MR. FAYE: -- if he -- if for my question he does
20 recall stating that in his affidavit, then I wouldn't see a
21 need to go any further with it on the point.

22 JUDGE CARISSIMI: Okay. But, you know, it seems to
23 me the answer to the last question was less than an outright
24 agreement.

25 All right? So if we're going to have differences

1 about, you know, what's in the affidavit, what was said to the
2 board agent, obviously what's in the affidavit is the
3 affidavit.

4 So you can proceed. I'm going to overrule Counsel's
5 objection for now.

6 But if there's continued questions about the
7 affidavit, we'll revisit the question on how we're going to
8 proceed with the use of the affidavit.

9 BY MR. FAYE:

10 Q Do you recall stating in your affidavit that you travel
11 often for business, so when you're in town, you visit the bar,
12 but if you're traveling, you could go a month without visiting
13 the bar.

14 A I don't specifically remember. But it could be possible
15 that I could go a month. But it's very unlikely. It could be
16 a month.

17 MR. FAYE: Then I will show the affidavit.

18 JUDGE CARISSIMI: Then let's have it marked as a GC
19 Exhibit, regardless of whether it's admitted for that --

20 MR. FAYE: That's number 7 then.

21 JUDGE CARISSIMI: Yes. GC Exhibit 7.

22 MR. FAYE: 7.

23 JUDGE CARISSIMI: Is the affidavit of Mr. --

24 MR. FAYE: Respondent's Counsel has a copy already.

25 JUDGE CARISSIMI: Very good.

1 MR. SCHADLER: Yes, Your Honor, I do.

2 JUDGE CARISSIMI: Is there a portion of the affidavit
3 that you'd like the witness to read, Mr. Faye?

4 MR. FAYE: Yes. Just on the first page, the next to
5 last sentence. That was what I was quoting from that's all.

6 JUDGE CARISSIMI: Sure.

7 MR. SCHADLER: Your Honor, if I could see the
8 document. He has an authenticated, before he reads from it, if
9 I could just see it that he handed the right one, I'll
10 stipulate to it.

11 JUDGE CARISSIMI: There's more than one?

12 MR. SCHADLER: I don't know what he handed. I'm
13 hoping he shows the same one I --

14 JUDGE CARISSIMI: Let's do it this way. Mr.
15 Mitchell, the document in front of you, which has been marked
16 for identification General Counsel Exhibit 7.

17 If you turn to the last page, there's a signature
18 there. Is that your signature?

19 THE WITNESS: Yes, sir.

20 JUDGE CARISSIMI: Dated November 10th, 2015, is that
21 correct?

22 THE WITNESS: Yes.

23 (General Counsel's Exhibit GC-7 identified)

24 JUDGE CARISSIMI: Your recollection?

25 THE WITNESS: Yes, sir.

1 JUDGE CARISSIMI: And you swore to tell the truth in
2 this affidavit before the board agent? Did you give this in
3 person?

4 THE WITNESS: I did.

5 JUDGE CARISSIMI: Okay. I'm satisfied the affidavit
6 is --

7 MR. SCHADLER: As I, Your Honor. I withdraw the
8 objection.

9 JUDGE CARISSIMI: Okay.

10 MR. FAYE: I have given the copy of General Counsel's
11 Exhibit 7 to Respondent's Counsel who already had a copy.

12 JUDGE CARISSIMI: Very good. You may proceed, Mr.
13 Faye.

14 BY MR. FAYE:

15 Q Now, looking at the next to last sentence on page one,
16 beginning with the words, "I travel." Is it accurate --

17 JUDGE CARISSIMI: Well, are you using this to refresh
18 recollection or for impeachment purposes, sir?

19 MR. FAYE: Let's start with --

20 JUDGE CARISSIMI: Refreshing recollection?

21 MR. FAYE: Let's start that.

22 JUDGE CARISSIMI: Then you need to take the affidavit
23 away from the witness, so I'm satisfied that he's now testified
24 from his present memory having had his memory refreshed.

25 MR. FAYE: We'll take it away.

1 JUDGE CARISSIMI: All right. The affidavit has been
2 taken away from Mr. Mitchell. You may ask your question now.

3 BY MR. FAYE:

4 Q Mr. Mitchell, now the affidavit's not in front of you.
5 And having had the opportunity to look at it, the portion I was
6 referring to.

7 Is it correct that when you were traveling, you could go a
8 month without visiting the bar?

9 A Yes.

10 Q Is it true that at the April 30th, 2015 meeting, that took
11 place between you, Mrs. Mitchell, Mrs. Helms and Mr. Henry that
12 nothing at all was said about the race of any customer?

13 A I don't recall the race of any customer being brought up.

14 Q And is it true that at that April 30th, 2015 meeting, that
15 nothing was said about the race of any particular bartender?

16 A That's true, yes.

17 Q In fact, isn't it true that race was not a topic at all of
18 the April 30th, '15 meeting?

19 A That's correct. There was no reason to bring up race.
20 Robin had already admitted that she was burnt out in serving
21 with the kids and she should have left three weeks earlier.

22 And it was out understanding that Chelsea did not want to
23 be brought to the attention, the forefront of this discussion.

24 Q And is it your understanding that Ms. Heyward's concern
25 about Mrs. Helms was of the lack of service of one African

1 American patron?

2 A That was her concern. That was the one instance she had
3 in the one shift she worked with Robin.

4 Q Isn't it true that prior to April 30th, 2015 that Mrs.
5 Helms had a clean disciplinary record with the employer?

6 A I believe so. I believe so.

7 Q To make it clear about the April 30th, '15 meeting, did you
8 stay for the entire meeting, or did you -- is it correct that
9 you came late to the meeting?

10 A I came late to the meeting and I was the first one to
11 leave the meeting.

12 Q When you left the meeting, sir, was the meeting still
13 going on?

14 MR. SCHADLER: Objection, Your Honor. Speculation.

15 JUDGE CARISSIMI: Overruled. You can answer, sir.

16 THE WITNESS: Oh. No, at that point there was no
17 employment anymore. Robin had already said, "I should have
18 left weeks ago."

19 I said, "Okay, well, then I guess we're done here."

20 And that's when I left the meeting. I mean, Robin was no
21 longer an employee of the restaurant.

22 So whether they stayed and spoke after I left, now, I
23 know they did, because I was waiting for my wife upstairs for
24 20 or 30 minutes.

25 But there was no reason for me to continue on in a

1 dialogue in a situation where an employee was unhappy at her
2 work environment and was no staying.

3 BY MR. FAYE:

4 Q So is it my understanding correct that you left the
5 meeting before the entire meeting was concluded?

6 A I left the meeting when I thought the meeting was over.
7 Now, if they stayed and discussed something else after I left,
8 I don't know.

9 I'm sure they did, but the meeting -- I mean, the
10 employee/employer relationship had already finished. Everyone
11 in that room, including Robin knew that the employee/employer
12 relationship had finished at that point.

13 JUDGE CARISSIMI: Let me ask you a simple question,
14 sir? Did you fire her or did she quit?

15 THE WITNESS: It was a -- neither. It was a mutual
16 agreement that she was not going to work very longer because
17 she was not happy.

18 And that we couldn't have her work there any longer
19 as unhappy.

20 JUDGE CARISSIMI: All right. You may continue, Mr.
21 Faye.

22 MR. FAYE:

23 Q Is it correct that you told the board agent, when giving
24 your affidavit, that you were in the entire meeting?

25 A I was in the entire meeting that I thought was the

1 meeting.

2 I mean, people stay in that office and will talk for
3 hours.

4 My meeting ended. When I left, my meeting was over. That
5 was my entire meeting.

6 Q Now, as far as the -- what percentage, if you know, of the
7 clientele is made up of Villanova students?

8 A More than half. The majority.

9 Q And is it correct that, to the best of your knowledge,
10 being in the area, that Villanova University is only
11 approximately 4% African American student body?

12 MR. SCHADLER: Objection, Your Honor. First off,
13 basis for that statement, as far as the Court would set and
14 also the relevance.

15 JUDGE CARISSIMI: First of all, what's the relevance
16 of that?

17 MR. FAYE: Well, I want to get to the comments that
18 Mrs. Mitchell made about diversity. So I'll withdraw the
19 question, but I would like to ask a follow up one.

20 BY MR. FAYE:

21 Q Was Ms. Heyward the only African American bartender?
22 Isn't that correct that she was the only African American
23 bartender?

24 A At that time, I think, yes, she was.

25 Q All right. And isn't it true that your clientele at

1 Kelly's is almost exclusively non African American.

2 A Exclusively, no.

3 Q Almost non-exclusive.

4 A We had a lot of basketball and football players that will
5 come into that establishment.

6 There are other people that will come in that are not
7 Villanova students that may be African American.

8 So I'm not really sure what you're exactly asking me.

9 Q Have you -- isn't it true that Villanova's nickname is
10 Vanilla Nova?

11 MR. SCHADLER: Objection, Your Honor.

12 JUDGE CARISSIMI: Sustained. That means you don't
13 have to answer, sir. Let me explain the rules to you. If I
14 say overruled, that means you have to answer the question.

15 If I say sustained, that means you don't answer, all
16 right? And one thing, you've done this well, even without me
17 explaining it to you, it's always good to pause just a moment
18 before you answer, that way if the other attorney has an
19 objection, he can make it and I can rule on it before you
20 answer.

21 THE WITNESS: Okay.

22 JUDGE CARISSIMI: Okay. So that's been the case. We
23 haven't had any problems with that, but I wanted to make sure
24 you understood the rules on my rulings, okay?

25 THE WITNESS: Yes, sir.

1 JUDGE CARISSIMI: Very good. You may continue, Mr.
2 Faye.

3 BY MR. FAYE:

4 Q All in all, is it fair to say that the clientele of this
5 bar is not diverse racially?

6 A I would say it's predominantly a white Caucasian crowd.
7 Yes, that is the demographics of the Bryn Mawr area in general.
8 So it's consistent with that. There was a large issue
9 here. I mean, there was not serving the patron, which is one.

10 JUDGE CARISSIMI: No, sir, you're outside the
11 question.

12 THE WITNESS: Okay.

13 JUDGE CARISSIMI: Just listen to the question and
14 answer the question, all right?

15 Q Is it correct that this bar is located on what's known in
16 our area as the main line?

17 A Yes.

18 Q And would you agree that the main line is overwhelming
19 white area?

20 MR. SCHADLER: Objection. This question's already
21 been answered, and I believe we're getting to the point we're
22 getting to a relevant questions if the point's been made.

23 JUDGE CARISSIMI: Yeah. I'm going to sustain the
24 objection.

25 MR. FAYE: I don't have any other questions.

1 JUDGE CARISSIMI: I'm sorry, Mr. Faye, you have no
2 further questions?

3 MR. FAYE: Well, may I have one moment, Your Honor?

4 JUDGE CARISSIMI: Yes. Off the record and you tell
5 me when you're ready, sir.

6 MR. FAYE: Sure.

7 (Whereupon, a brief recess was taken)

8 JUDGE CARISSIMI: Do you have any further questions,
9 Mr. Faye?

10 MR. FAYE: Yes, I do.

11 BY MR. FAYE:

12 Q Is it true that at the April 15th, 2015 meeting that you
13 told Mrs. Helms that there was a surveillance camera and that
14 you and Mrs. Mitchell heard that she was refusing service?

15 MR. SCHADLER: Objection, Your Honor. It may be an error
16 by Counsel, but there has been no foundation laid about an
17 April 15th meeting.

18 MR. FAYE: April, I'm sorry. April 30th.

19 MR. SCHADLER: And that's fine. I'll withdraw my
20 objection, Your Honor.

21 MR. FAYE: I must say, Your Honor, but in the
22 subpoenaed documents, strike that.

23 JUDGE CARISSIMI: All right. Great.

24 MR. FAYE: I will strike that. There is a reference
25 sometimes to even subpoenaed documents to 4/15, but really

1 meant April 2015. And not that I --

2 JUDGE CARISSIMI: I understand.

3 MR. SCHADLER: Just wanted the record to be clear,
4 Your Honor.

5 MR. FAYE: It stuck in my mind, frankly.

6 JUDGE CARISSIMI: Do you want to ask the question
7 again?

8 MR. FAYE: Yes.

9 BY MR. FAYE:

10 Q I'm sorry, Mr. Mitchell.

11 A That's okay.

12 Q I'm referring to the April 30th, 2015, meeting that we've
13 discussed.

14 Is it correct that during the April 30th, 2015, that you
15 told Mrs. Helms that there was a surveillance camera and that
16 you and Mrs. Mitchell heard that she was refusing service when
17 -- in listening to the audio?

18 A Yes.

19 Q Is it correct that that was untrue?

20 A Yes.

21 Q So is it fair to say that you did lie to Mrs. Helms about
22 the audio existing?

23 A Yes, we did to protect the identity of Chelsea.

24 Q Thank you.

25 MR. FAYE: No further questions.

1 JUDGE CARISSIMI: Very good. Is there any redirect?

2 MR. SCHADLER: Yes, please, briefly.

3 REDIRECT EXAMINATION

4 BY MR. SCHADLER:

5 Q I want to take you back to the portion you talked about
6 the meeting ending, if that's okay with you, Mr. Mitchell.

7 You said you went upstairs. Approximately how long were
8 you upstairs for?

9 A Probably 20 minutes, 30 minutes.

10 Q And fair to say that the upstairs, and that's going to
11 sound like a ridiculous question, but you can't hear what's
12 going on in the downstairs while you're in the upstairs?

13 A You cannot.

14 Q Can you see what's going on downstairs when you're in the
15 upstairs?

16 A You cannot.

17 Q And did you know at the time you were in the upstairs what
18 was going on in the downstairs?

19 A I did not.

20 Q You had one African American bartender at that time. Were
21 there any other African American employees on staff at that
22 time that you employed?

23 A Yes.

24 Q And what were some of those positions?

25 A We had cooks, bouncers, security people that worked there

1 at the time.

2 Q And approximately how many people roughly, do you think?
3 Ballpark?

4 A I'd say five.

5 Q And was that at all a concern for you?

6 A Absolutely.

7 Q What was the concern?

8 A It's not a good working environment. It's, how would
9 those people feel, I mean, if they felt like one of their
10 colleagues that they're part of a team with is refusing service
11 to another African American. It's --

12 MR. FAYE: You know, Your Honor, I have to object,
13 because the question was, was there a concern.

14 I'm not sure that the witness has even responding to.
15 Is there a concern about what?

16 JUDGE CARISSIMI: Yeah.

17 MR. FAYE: That follows up on the, whether there were
18 other African American employees at the bar on the question was
19 was there a concern.

20 Frankly, I thought he said was there a concern that
21 there were only five African American employees.

22 MR. SCHADLER: I'll be more specific with it, Your
23 Honor. I'll withdraw the --

24 JUDGE CARISSIMI: I'm going to overrule the
25 objection, but perhaps more specificity would be better.

1 BY MR. SCHADLER:

2 Q My question was, and, I believe, you understood it
3 correctly though, do you have any concerns specifically with is
4 this incident with Ms. Helms in referencing those employees
5 that you had that were African American?

6 A Yes, I did.

7 Q And if you could, please, so the record is clear.

8 A I was concerned that they would find another good place to
9 work. They're valuable employees.

10 If they realized that one of their team members and
11 coworkers was refusing service to another African American,
12 that's a concern for me. It's not a good working environment.

13 Q There was, about the portion, I want to take you to the
14 meeting.

15 Race was not a topic that was brought up while you were
16 there. Was it something in your mind during that meeting?

17 A It was the quintessential reason for the meeting and the
18 reason why the meeting was happening the next day.

19 Q You're also located in Bryn Mawr. It's on that main line.
20 We kind of had that testimony, we don't want to rehash that.

21 Is Bryn Mawr sensitive to issues like race or racism in
22 its community?

23 MR. FAYE: Objection.

24 JUDGE CARISSIMI: Sustained.

25 MR. FAYE: Beyond --

1 Q And there's a policy that was touched upon about non-
2 service.

3 Were you ever aware of a policy of your bartenders not to
4 serve people that don't tip?

5 A I was not.

6 Q All right. And how would you feel about some customer --

7 MR. FAYE: Objection. Beyond the scope.

8 JUDGE CARISSIMI: It is beyond the scope. I'm going
9 to sustain the objection.

10 MR. SCHADLER: Your Honor, I can, but I believe it
11 was brought up. But if I could reserve the right to recall
12 then on that issue. I'd like to explain that with him.

13 JUDGE CARISSIMI: No, you can only recall him on the
14 documents.

15 MR. SCHADLER: Okay.

16 JUDGE CARISSIMI: I tell you what, I'm going to
17 reverse my ruling. It's technically outside the scope.

18 But I think the question is relevant to the issues
19 that I have to decide. So I'm going to permit you to ask the
20 question.

21 MR. SCHADLER: Thank you, Your Honor.

22 BY MR. SCHADLER:

23 Q How would you deal with or view the policy not to serve
24 people because they don't tip? I think what I -- do you want
25 to read back --

1 JUDGE CARISSIMI: No, that's, you know, the question
2 about awareness --

3 MR. SCHADLER: Okay.

4 JUDGE CARISSIMI: -- the witness's concerns is,
5 again, that's meaningless to me.

6 MR. SCHADLER: Okay.

7 JUDGE CARISSIMI: Subjective reactions are not the
8 basis for me to decide this case.

9 MR. SCHADLER: Understood.

10 JUDGE CARISSIMI: Facts are. Go ahead, sir.

11 BY MR. SCHADLER:

12 Q Were you aware of the policy not to serve people who do
13 not tip?

14 A I was not.

15 Q Was that ever brought to your attention that there is such
16 a policy not to serve people?

17 A I was not.

18 Q Did Robin ever have a conversation with you about policy
19 not to serve people who do not tip?

20 A She did not.

21 MR. SCHADLER: May I have one moment, Your Honor?

22 JUDGE CARISSIMI: You may.

23 MR. SCHADLER: Thank you.

24 JUDGE CARISSIMI: Let's go off the record and tell me
25 when you're ready.

1 (Whereupon, a brief recess was taken)

2 MR. SCHADLER: Your Honor, I have no further
3 questions for this witness at this time. Thank you.

4 MR. FAYE: May I have a moment, Your Honor?

5 JUDGE CARISSIMI: Yes. Let us go off the record.

6 (Whereupon, a brief recess was taken)

7 RECROSS EXAMINATION

8 JUDGE CARISSIMI: Mr. Faye, you may proceed.

9 BY MR. FAYE:

10 Q In reference to your testimony, as to the April 30th,
11 meeting, 2015 meeting, returning the day after, is it correct
12 that you were -- my understanding of your testimony, sir --

13 JUDGE CARISSIMI: Just ask the question, Mr. Faye.

14 Q Is it correct that the incident between that Ms Heyward
15 was complaining about regarding Mrs. Helms' lack of service
16 occurred on April 22nd, 2015, not April 29th, 2015?

17 A I don't remember when the exact incident took place. That
18 meeting took place on the first available time that I could get
19 there.

20 Q Would you take back your testimony that the incident
21 occurred involving Ms. Heyward and Mrs. Helms the day before
22 April 30th, 2015 --

23 MR. SCHADLER: Objection.

24 Q -- did not occur then?

25 MR. SCHADLER: Objection, Your Honor. Take back your

1 testimony? That definitely stands for itself.

2 JUDGE CARISSIMI: I'm going to sustain the objection.

3 The witness's testimony is the witness's testimony.

4 Q Do you recall a customer complaint over bartender Sarah
5 Clark?

6 A Yes.

7 Q If you could hear me out.

8 A Oh, sorry.

9 Q That she told the customer you don't tip well enough, I
10 work for tips, fuck you.

11 MR. SCHADLER: Objection, Your Honor. Outside the
12 scope of recross.

13 JUDGE CARISSIMI: Sustained.

14 MR. FAYE: Your Honor, there was testimony by this
15 witness right a few minutes ago that he is not aware of any
16 other service problems that this policy --

17 JUDGE CARISSIMI: Mr. --

18 MR. FAYE: -- and yours --

19 JUDGE CARISSIMI: You're saying it goes to that
20 testimony?

21 MR. FAYE: Absolutely.

22 JUDGE CARISSIMI: Okay. I'm going to reverse my
23 ruling. If you want to be heard --

24 MR. SCHADLER: Yes.

25 JUDGE CARISSIMI: -- go ahead.

1 MR. SCHADLER: I will not get into specific instances
2 because of that purpose. As far as I was told that that was
3 not appropriate.

4 And I respect the Court's ruling. I'm not
5 challenging that at all.

6 I asked about a policy specifically because there was
7 a statement about policy being in effect. That is a specific
8 instance, not a question involving the policy.

9 MR. FAYE: Sorry. Okay. That's fine.

10 JUDGE CARISSIMI: You have a question. So it's a
11 fair recross. You may ask.

12 BY MR. FAYE:

13 Q Isn't it true that you are well aware of a customer
14 complaining to you that Sarah Clark on February 14th, 2015, told
15 him, "You don't tip well enough, I work for tips, fuck you."

16 A I'm aware.

17 Q And it's true that you did not discipline, you did not
18 suspend or fire Mrs. Clark? Isn't that true?

19 A I don't believe so, because --

20 Q You fired her?

21 A No, I did not fire her.

22 Q Did you suspend her?

23 A No, I did speak to her.

24 Q But I asked if you suspended her.

25 A I did not.

1 Q Did you issue her a written warning.

2 A We, at that time, unfortunately did not issue written
3 warnings.

4 Q Isn't it true that she wasn't disciplined at all?

5 A She was -- the situation was addressed as far as I'm
6 concerned.

7 Q My question to you is, isn't it true that she was not
8 disciplined at all?

9 A Discipline, I don't -- disciplined from my perspective,
10 she was disciplined because she was reprimanded. And the
11 situation is addressed and she's not to act in that matter.

12 Q Do you recall telling her that the matter of her telling a
13 customer fuck you that you don't tip well, was a, in your
14 words, a smallest of issues?

15 A I don't remember that, but I can't see that.

16 Q How about you take a look, please --

17 A Sure

18 Q -- at General Counsel Exhibit 4.

19 JUDGE CARISSIMI: That's fine, but let the witness
20 answer the question. You kind of were a little quick there.
21 But go ahead, Mr. Faye, and proceed.

22 MR. FAYE: I'm sorry.

23 Q The court reporter has handed you a copy of General
24 Counsel 4.

25 In taking a look at the first page of this document, I

1 would call your attention to the third sentence, the intent or
2 the sending the email is not to call you out, just to let
3 everyone know how things reverberate on the smallest of issues.

4 JUDGE CARISSIMI: What's your question, sir?

5 Q Do you recall?

6 JUDGE CARISSIMI: Well, it's an email. I don't
7 really care about the witness's recollection.

8 I have it in front of me. The document speaks for
9 itself. So I don't need to ask a question about what's in the
10 document.

11 MR. FAYE: Okay. That's fine. If you could return
12 the document then to the court reporter, I'd appreciate it.

13 Let the record show that the document is now
14 returned.

15 THE WITNESS: Yes, it has been returned.

16 BY MR. FAYE:

17 Q Do you recall a conversation after the Super Bowl in
18 February 2015, that you and Mrs. Mitchell had with Mrs. Helms
19 concerning Mike Bevevino giving poor service to your friends,
20 Tony and Beth, because they tip poorly?

21 A I do not remember that conversation.

22 MR. FAYE: If I may have a moment, Your Honor.

23 JUDGE CARISSIMI: Yes, you may. Off the record. You
24 let me know when you're ready, Mr. Faye.

25 MR. FAYE: Sure.

1 (Whereupon, a brief recess was taken)

2 JUDGE CARISSIMI: You may proceed, Mr. Faye.

3 MR. FAYE: Thank you.

4 BY MR. FAYE:

5 Q Do you recall at any point, Mr. Mitchell, Mrs. Helms
6 informing you that Mr. Bevevino had instructed the bartenders
7 that they were not allowed to give good service to Tony and
8 Beth because they do not tip well?

9 A Absolutely not.

10 Q Is it your testimony today that you were not aware of Mike
11 Bevevino's policy?

12 A That is my testimony. Yes.

13 Q Oh, I'm not finished.

14 A Sorry.

15 Q Of the policy to give no or to serve customers less who
16 were poor tippers?

17 A I did not know that was Mike's policy.

18 Q Did you ever hear Mr. Bevevino yell out not to serve
19 certain customers in front of the customers and the employees,
20 not to serve a particular customer because of that person being
21 a poor tipper?

22 A I did not.

23 MR. FAYE: No other questions, Your Honor.

24 JUDGE CARISSIMI: Very good. Limited to the scope of
25 that recross, do you have anything further, Mr. Schadler?

1 MR. SCHADLER: Just briefly, Your Honor, very
2 briefly.

3 MR. SCHADLER: Specifically to the email, is that
4 still up there?

5 JUDGE CARISSIMI: I have it.

6 MR. SCHADLER: Okay.

7 JUDGE CARISSIMI: Do you have a copy of it?

8 MR. SCHADLER: I do have a copy of it, Your Honor. I
9 just didn't know if it was still in front of the witness.

10 JUDGE CARISSIMI: Do you need Mr. Mitchell to see it?

11 MR. SCHADLER: I may. And that's why I wanted to
12 know.

13 I'll approach with one if that's okay with the Court
14 if I need it.

15 If it's in front of him, because I wanted to make
16 that he didn't, so just to ask some questions on it, there's no
17 tampering.

18 JUDGE CARISSIMI: The document is not in front of him
19 now.

20 MR. SCHADLER: Okay.

21 REDIRECT EXAMINATION

22 BY MR. SCHADLER:

23 Q Do you recall the incident that was brought up with the
24 email?

25 A I do.

1 Q And what, if anything, how did you handle that situation
2 and how did that come to your attention?

3 A We have a blind email address, info@kellystaproom.com.
4 There's a customer complaint, suggestion.

5 It goes to that email and it goes to several different
6 people in our organization.

7 I saw the customer's complaint and I sent it out to
8 everyone that was working that night, I believe, or maybe all
9 the bartenders. I can't remember at this time.

10 Q And I wanted to show you that exhibit. I'm going to show
11 you a copy. And I just want this, mine's highlighted, but it's
12 not --

13 MR. SCHADLER: I'm going to show Mr. Faye, so he
14 doesn't believe there's any inappropriate.

15 JUDGE CARISSIMI: I think someone has of the
16 reporter. Do we have General Counsel Exhibit 4?

17 MR. SCHADLER: Thank you, sir, I very much appreciate
18 it.

19 JUDGE CARISSIMI: General Counsel Exhibit 4 is now in
20 front of Mr. Mitchell.

21 THE WITNESS: Thank you.

22 BY MR. SCHADLER:

23 Q I'd like you to take a look at this, and I just want to
24 make it clear for the record, Mr. Mitchell.

25 What is the order, 'cause there's several emails contained

1 in this. What is the order and flow of these emails?

2 JUDGE CARISSIMI: I'm going to ask you to step back,
3 'cause opposing Counsel's kind of blocked there.

4 MR. SCHADLER: Is this okay, Your Honor?

5 JUDGE CARISSIMI: That's fine, but is there some
6 reason you need to be here as opposed to back at the table?

7 MR. SCHADLER: I was going to reference the document
8 and I didn't know if I could --

9 JUDGE CARISSIMI: But he has that in front of him.
10 You may proceed.

11 MR. SCHADLER: Thank you.

12 BY MR. SCHADLER:

13 Q So we read this correctly. Reading it in the order it
14 came in. Where's the email that you received? Write the date
15 and time on that.

16 A Sunday, February 15th, at 1:56 a.m.

17 Q Okay. And your reply to him, did you reply to him
18 specifically?

19 A I did in the next morning when I saw the email.

20 Q And which one is that? Date and time?

21 A Looks like 7:41 a.m. on Sunday.

22 Q And did you eventually deal with this with your staff?

23 A I did.

24 Q And when was that email sent?

25 A Nine minutes after I responded to the person who

1 complained. I sent an email at 7:50 to the ladies that Sarah
2 were the bartenders.

3 Q And did you receive a response to that email?

4 A I did receive a response from Sarah Clark.

5 Q And that response? What time does that say?

6 A 10:13 on the same day.

7 Q And did she raise any issues or concerns that you had that
8 let you treat this a little differently than what happened in
9 this case?

10 A Yeah. I mean her point if I remember correctly, and it's
11 on the read here, but that the person was also intoxicated.

12 And we have a policy that visibly intoxicated patrons are
13 not to continue to be served. And I think that was Sarah's
14 side of the story.

15 And there's three sides to every story and Sarah
16 apologized about the incident and she explained what she saw as
17 to the truth to the facts.

18 Q And were those different from the facts that you received
19 in that email?

20 A They were.

21 Q And did you speak with her about those?

22 A I did. And my point to her was that small issues what the
23 patron may say, what we believe that sometimes they get
24 escalated and we should try to maintain those things at a
25 reasonable level.

1 And address problems when they happen. And that was my
2 point in saying to her that things can reverberate on small
3 issues like this.

4 MR. SCHADLER: As far as limited on that no further.

5 JUDGE CARISSIMI: Very good. I take it that you have
6 nothing further in that area of limited range.

7 MR. FAYE: I do, Your Honor.

8 JUDGE CARISSIMI: But it has to be squarely within
9 that. But you may ask the questions.

10 RE CROSS EXAMINATION

11 BY MR. FAYE:

12 Q Was your communication on this incident with Sarah Clark
13 strictly the emails that are before us as part of General
14 Counsel Exhibit 4?

15 A No, I spoke to her subsequent to these emails about the
16 incident as well.

17 Q How long later?

18 A Within that week, I saw Sarah, or remember specifically.

19 Q And where did you speak to her?

20 A At work, at the restaurant.

21 Q And who else, if anyone, was present?

22 A I couldn't recall if anyone else was present.

23 Q Your reference to the customer being intoxicated where was
24 that communicated to you from Sarah Clark?

25 A Maybe I assumed that because when I responded to her, I

1 said I needed to see or hear your side of the story, if he was
2 belligerent or cutoff would have been better, right? If he was
3 intoxicated.

4 Q Thank you very much, Mr. Mitchell.

5 JUDGE CARISSIMI: Nothing further?

6 MR. FAYE: No, nothing further. I appreciate you
7 testifying. I know you're somewhat under the weather still.
8 So thank you for being here.

9 MR. SCHADLER: Nothing further, Your Honor, with the
10 exception of limited right to recall that we discussed.

11 JUDGE CARISSIMI: Yes. Mr. Mitchell, you are excused
12 for now.

13 THE WITNESS: Okay.

14 JUDGE CARISSIMI: You can step down and hand the
15 exhibit to be forwarded. Thank you. Let's go off the record.

16 (Whereupon, at 12:00 p.m., a luncheon recess was taken.)

17

1 A F T E R N O O N S E S S I O N

2 (Time Noted: 1:09 p.m.)

3 JUDGE CARISSIMI: Okay. So where do we stand? Do
4 you have another witness? Or we can have cross examination.

5 No, I think we're at the point where Mr. Schadler,
6 you're going to recall Mrs. Mitchell for the continuation of
7 her direct testimony. Is that correct?

8 MR. SCHADLER: That is absolutely correct, Your
9 Honor.

10 JUDGE CARISSIMI: Mrs. Mitchell, you can come up to
11 the witness stand. And again, since you have testified
12 previously, I won't administer you the oath, I'll just remind
13 you you are still under oath.

14 THE WITNESS: Okay. Yes, sir. Thank you.
15 Whereupon,

16 ANGELIA MITCHELL
17 Having been first duly sworn, was called as a witness herein,
18 and was examined and testified as follows:

19 JUDGE CARISSIMI: Mr. Schadler, you may proceed.

20 MR. SCHADLER: Thank you very much, Your Honor. Your
21 Honor, for the record, I provided Counsel for the government,
22 both copies of emails and copies of text messages and will be
23 approaching first with what I've marked as, I believe it's
24 Government Exhibit 3 and I will be numbering these.

25 I said I'd number them over lunch, but Counsel had

1 them, so I was unable to. I will do it on a break.

2 MR. FAYE: That would be a Respondent.

3 MR. SCHADLER: Respondent's, I'm sorry.

4 JUDGE CARISSIMI: Respondent's, yeah. So it's
5 multiple page exhibit?

6 MR. SCHADLER: Yes, Your Honor.

7 JUDGE CARISSIMI: Is that correct. All right.

8 MR. FAYE: I can show the documents.

9 JUDGE CARISSIMI: Right. You don't have a copy. Is
10 that correct, Mr. Faye?

11 MR. FAYE: No, I gave back the copy I was shown.

12 JUDGE CARISSIMI: Right. So the only copy that we
13 have, Mr. Schadler, is the one that you have in your hand.

14 MR. SCHADLER: With the understanding that I will be
15 at Staples, Your Honor.

16 JUDGE CARISSIMI: Right.

17 MR. SCHADLER: Or somebody to get this copied.

18 JUDGE CARISSIMI: So if there's any need to, Mr.
19 Faye, if there's an examination of a document and you need to
20 look at the document, we will have to pass it back and forth,
21 or you can approach the witness stand, both Counsel and look at
22 it with Mrs. Mitchell. All right?

23 MR. FAYE: Thank you. I just want to comment that
24 the court reporter is going to require two copies.

25 JUDGE CARISSIMI: Absolutely. And I've made it very

1 clear that that has to be done by the end of the hearing. And,
2 Mr. Schadler understands that.

3 MR. SCHADLER: Crystal clear, Your Honor.

4 JUDGE CARISSIMI: Okay. Very good. You may proceed.

5 MR. SCHADLER: Thank you.

6 DIRECT EXAMINATION (cont)

7 BY MR. SCHADLER:

8 Q Ms. Mitchell, I'd like to turn your attention to your
9 availability to your staff. Do you give your staff your email?

10 A Yes.

11 Q And do you correspond with staff over email?

12 A I do.

13 Q And after yesterday's hearings did I ask you to do
14 something related to your email?

15 A Yes.

16 Q What did I ask you to do?

17 A Print out emails of correspondences from employees to
18 myself for the duration of Robin Helm's employment.

19 MR. SCHADLER: And having already shown this to the
20 Government, I approach with Respondent's Exhibit 3.

21 Q And take a look at that, please, ma'am.

22 A Yes.

23 Q Do you recognize that document, ma'am?

24 A I do, yes.

25 Q And what is that document? Or that exhibit, I should say?

1 A These are documents of my correspondences with my
2 employees.

3 (Respondent Counsel's Exhibit R-3 identified)

4 MR. SCHADLER: Your Honor, at this time I'd move to
5 admit Respondent's Exhibit 3.

6 JUDGE CARISSIMI: Is there any objection to
7 Respondent Exhibit 3?

8 MR. FAYE: Your Honor, my only objection as to this
9 very large document, it contains many, many email messages, is
10 as to a few.

11 There is one from the Taryn Henry? Well, a woman
12 named Taryn, she did not work for Kelly's at the time of the
13 email.

14 So I have a relevancy objection to her. And there
15 are a few emails from Kristin Lang and Ryan Henry, who are
16 supervisors, not employees, so I would have relevancy.

17 JUDGE CARISSIMI: So I think that the emails from
18 Kristin Lang, really goes to the weight that I would attach to
19 it.

20 I mean, you can make any argument you wish to. Now,
21 if you have a question about someone not being an employee, if
22 you want to have voir dire on that, then we'll clarify that,
23 you may do so.

24 MR. FAYE: There's one else Ryan Henry, who is also a
25 manager.

1 JUDGE CARISSIMI: Right. So there's a Lang and
2 Henry.

3 MR. FAYE: Yes, because of the representation that
4 was to show contact or availability to the employees --

5 JUDGE CARISSIMI: Okay.

6 MR. FAYE: -- as opposed to statutory supervisors.

7 JUDGE CARISSIMI: All right.

8 MR. FAYE: According to Mrs. Mitchell.

9 MR. SCHADLER: Would the Court like a response on
10 that relevancy argued?

11 JUDGE CARISSIMI: Yeah. You may respond.

12 MR. SCHADLER: Your Honor, there was testimony and my
13 recollection of testimony is that Ms. Helms testified that her
14 conversations with her managers about contacting Gene and Angie
15 on issues.

16 And these would be relevant for two purposes. The
17 management wants one. It goes to show the management mindset
18 as far as contacting Gene and Angie.

19 And number two, it goes to discredit the testimony
20 that these managers were afraid to contact Gene and Angie.
21 Thank you, Your Honor.

22 JUDGE CARISSIMI: Okay. So I'm going to admit the
23 documents and you can make arguments in your brief as to what
24 weight I attach to it.

25 MR. FAYE: You did say, though, I could ask questions

1 as to the one document, if I may take a look.

2 JUDGE CARISSIMI: That is correct.

3 MR. FAYE: May I look back at Respondent's 3?

4 JUDGE CARISSIMI: What we're going to do, we're going
5 to have to go off the record. And we're going to have to
6 number those pages now.

7 Because in other words, I won't know what is being
8 referred to.

9 (Whereupon, a brief recess was taken)

10 JUDGE CARISSIMI: What we're going to do is in order
11 to move this file along, we're not going to have the pagination
12 put on now.

13 Counsel to the General Counsel indicated that the
14 emails are basically in chronological order and he's going to
15 use the date as a reference.

16 VOIR DIRE EXAMINATION

17 BY MR. FAYE:

18 Q Mrs. Mitchell, I'm only referring to one limited, one
19 email from Taryn Haney. At the bottom of the email, however,
20 the name of the person is given as Taryn Dillon.

21 This was dated May 27th, 2014. Is my understanding correct
22 that Taryn Haney, also known as Taryn Dillon, was not an
23 employee of Kelly's as of that date?

24 A She didn't work for Mid-Atlantic Restaurant Group. She
25 did take shifts there, as did Troy, who also did not work for

1 Mid-Atlantic Restaurant Group.

2 I brought emails of all my people who had shifts at
3 Kelly's.

4 Q Is it correct that although Taryn Haney or Taryn Dillon
5 did do shifts for Kelly's at one point.

6 A Correct.

7 Q That does --

8 A Sorry.

9 Q -- occurred after May 27th, 2014.

10 A I don't think so. I think she picked up shifts there
11 during her employment.

12 But I could be wrong. I'd have to look. I don't
13 remember.

14 Q Does Taryn Haney and Taryn Dillon the same person?

15 A It is, yes. Taryn Haney is her maiden name and Taryn
16 Dillon is her married name.

17 Q Thanks very much.

18 JUDGE CARISSIMI: Do you have any objection to
19 Respondent's 3, Mr. Faye?

20 MR. FAYE: No, Your Honor.

21 JUDGE CARISSIMI: All right. Respondent's 3 is
22 admitted.

23 (Respondent Counsel's Exhibit R-3 received)

24 MR. SCHADLER: Yes, Your Honor. Thank you.

25 DIRECT EXAMINATION (cont)

1 BY MR. SCHADLER:

2 Q And I apologize if I backtrack on a repeating question.

3 Can you tell us what those documents are?

4 A They're emails from employees who took tips at Kelly's Tap
5 Room during the time of Robin Helm's employment, to the best of
6 my knowledge, when she was there.

7 Q Was anyone ever reprimanded for sending those emails?

8 A Absolutely not.

9 Q Was anyone in any way punished for sending those emails?

10 A No.

11 MR. SCHADLER: There's three. I'm approaching with
12 Respondent Exhibit 4. May I approach, Your Honor?

13 JUDGE CARISSIMI: You may.

14 MR. SCHADLER: Thank you, Your Honor. Showing as
15 marked Respondent Exhibit 4.

16 BY MR. SCHADLER:

17 Q Do you recognize those documents?

18 A Yes.

19 Q And what are those documents?

20 A These are text messages I received from some employees
21 that I had on my phone that printed.

22 (Respondent Counsel's Exhibit R-4 identified)

23 Q And was that a request that I made to you last night?

24 A Yes.

25 Q And did you have an occasion to print all of them?

1 A No.

2 Q And I neglected to ask of the emails. Did you have an
3 occasion to print all the emails that you and Gene --

4 A No.

5 Q -- have. And did those text messages fairly and
6 accurately depict the sampling of text messages that you were
7 able to print?

8 A Yes.

9 Q And why weren't you able to print all of them?

10 A I didn't have enough time.

11 Q Fair enough.

12 MR. SCHADLER: Your Honor, at this time I move to
13 admit Respondent Exhibit 4.

14 JUDGE CARISSIMI: Any objection to Respondent's
15 Exhibit 4?

16 MR. FAYE: Your Honor, my only concern is page one
17 contains an employee's Social Security number.

18 And also that on page three, it contains a copy of
19 the employees check showing his bank account number.

20 I would appreciate it, I have no other objection.

21 JUDGE CARISSIMI: This should be redacted.

22 MR. SCHADLER: I will.

23 MR. FAYE: That's right.

24 JUDGE CARISSIMI: Let's go off the record and do that
25 now.

1 MR. SCHADLER: Yes.

2 JUDGE CARISSIMI: So that it's just done.

3 MR. SCHADLER: Allow me to express my gratitude to
4 Mr. Faye for --

5 JUDGE CARISSIMI: Thank you, Mr. Faye.

6 (Whereupon, a brief recess was taken)

7 MR. SCHADLER: Yes, Your Honor. There was an issue
8 brought up and I appreciate Mr. Faye doing so, of some personal
9 information of pages 1 and 3 of Respondent's Exhibit 4.

10 I have taken occasion to darken out with pen any of
11 that information.

12 JUDGE CARISSIMI: Very good.

13 MR. SCHADLER: All right. Now, may I approach the
14 witness with the document?

15 JUDGE CARISSIMI: You may.

16 MR. SCHADLER: Thank you. At this time, Your Honor,
17 I move for the admission of Respondent's Exhibit 4.

18 JUDGE CARISSIMI: Any objection to Respondent's 4?

19 MR. FAYE: No objection.

20 JUDGE CARISSIMI: Respondent's 4 is admitted with the
21 qualification that the page numbers will be placed on the
22 documents before they are copied.

23 MR. SCHADLER: I actually snuck some pages on, the
24 page numbers already, Your Honor.

25 JUDGE CARISSIMI: Very good.

1 (Respondent Counsel's Exhibit R-4 received)

2 BY MR. SCHADLER:

3 Q Now, what are these text messages of?

4 A They're conversations with myself and the certain
5 employees about things they needed to contact me about.

6 Q And so I can be clear and the record can be clear, why
7 weren't you able to print out all the conversations?

8 A There were too many of them.

9 Q And time was an issue?

10 A Yes.

11 Q And was anyone ever reprimanded for reaching out to you on
12 these issues?

13 A No.

14 Q Anybody ever punished?

15 A No.

16 Q And the text messages are so clear. And I would like the
17 record to be clear.

18 You're going to see two sides of those text messages. One
19 on the left I'll call and one against the right.

20 Which one would be your side of the conversation?

21 A Mine is the right.

22 Q So to be clear, there's different shades. The darker
23 shade is on the right and the lighter is on the left?

24 A Correct.

25 Q Is that consistent for all the text messages?

1 A Yes.

2 Q Did you have time to print out any of Gene's or any of
3 Gene's emails?

4 A No.

5 Q Are you aware of whether there are emails or text
6 messages?

7 A I know there are, yes.

8 MR. SCHADLER: Your Honor, I believe with the
9 admission, I've moved the admission of all documents at this
10 time.

11 JUDGE CARISSIMI: They're admitted. Three and four
12 admitted in.

13 MR. SCHADLER: With the admission of those documents,
14 I would have no further questions on direct at this time with
15 this witness. Thank you.

16 JUDGE CARISSIMI: Very good. Cross examination, Mr.
17 Faye.

18 MR. FAYE: May I have a few minutes?

19 JUDGE CARISSIMI: You may. How much time would you
20 need?

21 MR. FAYE: Five minutes.

22 JUDGE CARISSIMI: All right. We'll be in recess for
23 five minutes.

24 (Whereupon, a brief recess was taken)

25 JUDGE CARISSIMI: Mr. Faye, you may cross examine.

1 MR. FAYE: Your Honor, we were off the record when
2 you were talking about another redaction being made.

3 JUDGE CARISSIMI: Yeah. Mrs. Mitchell noticed that
4 there was another account number on a text message, a bank
5 account number, so that's been redacted.

6 MR. SCHADLER: That's correct, Your Honor. I
7 redacted that just by taking the routing and the account number
8 off.

9 CROSS EXAMINATION

10 BY MR. FAYE:

11 Q Which employees complained to you about working with Mrs.
12 Helms?

13 A I'm sorry, can you repeat that?

14 Q Which employees complained to you about working with Mrs.
15 Helms?

16 A Specifically Mike Bevevino, Chelsey Heyward. Those are
17 the two I can think of right now.

18 Q Isn't it correct that Mike Bevevino had a lot of
19 difficulty getting along with other bartenders?

20 MR. SCHADLER: Objection, Your Honor. Calls for
21 speculation.

22 JUDGE CARISSIMI: Overruled. You may answer.

23 THE WITNESS: Yes, sir. Repeat sounds like -- make
24 sure I answer this correctly.

25 Q Is it correct that Mike Bevevino had a lot of difficulty

1 getting along with other bartenders?

2 A I wouldn't say a lot of difficulty, no.

3 Q What would you say?

4 A He kept to himself. He had a way of doing things about
5 him that made some people, who are less experienced a little
6 hesitant.

7 But I wouldn't say nobody got along with him. He just was
8 a quiet, kept to himself person.

9 Q Is it correct that he worked always in one particular spot
10 of the bar area?

11 A That's not correct.

12 Q Well, what would be correct?

13 A He worked most of the time in a certain spot. Sometimes
14 he was scheduled upstairs.

15 Sometimes he was scheduled in different areas of the
16 restaurant. Sometimes he was a server.

17 Q Where did he generally work?

18 A Behind the bar on the first floor, primarily.

19 Q Any particular part of the bar?

20 A Not that I recall. Maybe.

21 Q Is it true that employees complained to you about working
22 with Mrs. Helms because they were sick of discussing with her
23 complaints about fixed schedules?

24 MR. SCHADLER: Objection, Your Honor. Speculation.

25 JUDGE CARISSIMI: Overruled.

1 THE WITNESS: That's correct.

2 Q Is it correct that before April 30th, 2015, that Mrs. Helms
3 did have a clean disciplinary record with Kelly's?

4 A With the exception of the instance I already mentioned,
5 yes.

6 Q Is it correct that Sarah Clark, the bartender left the
7 appointment of Kelly's on May 17th, 2015?

8 A I don't remember her exact ending date.

9 Q Do you recall roughly when she left?

10 A I know it was in May.

11 Q Of 2015.

12 A Of May of 2015. I don't remember the date.

13 Q Okay. Thank you. Is it correct that Chelsea Heyward gave
14 notice to Kelly's on approximately April 25th, 2015?

15 A That's correct.

16 Q Is it correct that Ms. Heyward's last day with the
17 employer was May 2nd, 2015?

18 A That's not correct.

19 Q Well, is it correct that Ms. Hayward left the employment
20 of the employer very shortly after Mrs. Helms?

21 A What do you mean by very shortly?

22 Q Within a few days.

23 A No, that's not correct.

24 Q Well, what is your --

25 A It was later in May. She worked for a couple weeks after

1 her -- she gave her two full week's notice. I don't remember
2 her exact ending date, but I know she was there for a couple of
3 weeks after.

4 Q Is it correct that Ms. Heyward started with the employer
5 in April 2015?

6 A That sounds correct.

7 Q Is it correct that she worked for the employer about three
8 weeks?

9 A No, that's not correct.

10 Q If I understood testimony on -- was it your claim that Ms.
11 Heyward is not the type of person to speak behind other
12 employee's back?

13 A That's correct. She did not seem like that type of
14 person.

15 Q Any reason for the basis for your testimony?

16 A It speaks of her character. The kind of character I want
17 representing our company.

18 Q But in your contact with her, during her stent with the
19 employer, was there anything that happened that would give you
20 that idea?

21 A I'm a good judge. I hire almost every single person that
22 works for us.

23 I assess their character, I assess their demeanor. I see
24 if they're going to be a good candidate to represent our
25 company.

1 Other than our conversation in the interview, all of her
2 actions supported my initial assessment of her personality.

3 Q But isn't it true that in the incident that you're
4 describing where Ms. Heyward complained to you about Mrs. Helms
5 on April 28th, 2015, that that was an example of snitching on
6 someone behind their back?

7 MR. SCHADLER: Objection, Your Honor.
8 Characterization of snitching behind someone's back.

9 JUDGE CARISSIMI: Sustained.

10 Q Well, instead of snitching, going behind someone's back?

11 JUDGE CARISSIMI: Sustained.

12 MR. FAYE: May I ask the basis for the objection
13 being sustained, Your Honor?

14 JUDGE CARISSIMI: Opinion evidence from a layperson
15 is meaningless to me.

16 MR. FAYE: Then I will go on based on that.

17 JUDGE CARISSIMI: Thank you, sir.

18 MR. FAYE: Thank you.

19 BY MR. FAYE:

20 Q Are you aware that Ms. Heyward thought that the employees
21 of Kelly's were very mean because they felt they were going to
22 lose hours?

23 MR. SCHADLER: Objection. Relevancy.

24 JUDGE CARISSIMI: Overruled.

25 THE WITNESS: That's correct.

1 Q Are you aware that Ms. Heyward felt that from the moment
2 that she got there, Kelly's, that she got the complete cold
3 shoulder from every employee?

4 MR. SCHADLER: I'd like to object to this ground.
5 Because Ms. Heyward testified as to what those meant.

6 And she explained who that was. Now, that is a
7 mischaracterization testimony of Ms. Heyward.

8 JUDGE CARISSIMI: No, I don't think so. Overruled.

9 THE WITNESS: So repeat your question, please.

10 BY MR. FAYE:

11 Q Sure. Are you aware that Ms. Heyward felt that from the
12 moment that she got there at Kelly's that she got the complete
13 cold shoulder from every employee?

14 A Until she said it yesterday, no. I was not aware.

15 Q Do you recall Ms. Heyward telling you, Mrs. Mitchell, that
16 she felt that you needed to get rid of your staff?

17 A I don't remember those words exactly.

18 Q What do you recall?

19 A I remember --

20 Q What do you recall her telling you.

21 A Sorry. I remember Chelsea Heyward saying, "You have
22 problems with your staff."

23 MR. FAYE: May I have one moment, Your Honor?

24 JUDGE CARISSIMI: Off the record. You can tell me
25 when you're ready, sir.

1 (Whereupon, a brief recess was taken)

2 JUDGE CARISSIMI: You may proceed, Mr. Faye.

3 BY MR. FAYE:

4 Q Did Ms. Heyward indicate at all to you that Mrs. Helms was
5 in any way nasty directly to her?

6 A Yes.

7 Q In what way did she say that? And what did she tell you?

8 A She said she was mean to her and had nothing good to say
9 about the bosses owners.

10 Robin had nothing good to say about the other bartenders
11 and she had a negative vibe from her.

12 Q Did Ms. Heyward indicate to you that she and Mrs. Helms
13 had discussed about issues over the shift scheduling?

14 A I do recall her mentioning Robin told her she would get no
15 good shifts and we hire people to fire people. That's the only
16 thing I remember talking about shifts.

17 Q Do you recall Ms. Heyward informing you that she told Mrs.
18 Helms that she was concerned because she has a son?

19 She was concerned about the shift scheduling because she
20 has a son.

21 MR. SCHADLER: Just to clarify, he said a lot of shes
22 there. I want to make sure of what we're talking about.

23 JUDGE CARISSIMI: Yeah. I think you need to rephrase
24 the question. It was hard for me to follow it. Go ahead.

25 Q At the same time, in the same discussion with Ms. Heyward,

1 did Ms. Heyward indicate to you that when Mrs. Helms complained
2 to her about the shifts that Ms. Heyward responded to Mrs.
3 Helms that she was concerned about the shifts too, because she
4 has a son.

5 A That never came up in our conversation, no.

6 Q Is it correct that during Mrs. Helms year of employment
7 with the employer that from all that you know or saw that Mrs.
8 Helms had a very, very good relationship with the black
9 bouncers who were employed by the employer?

10 A I'm unaware of her relationship with the bouncers. I
11 can't attest to that, her track record with them.

12 Q How about, let me guess this, as customers, are you aware
13 of Mrs. Helms having a very good and warm relationship with the
14 African American bouncers employed by Kelly's and their
15 girlfriends and wives that were customers?

16 MR. SCHADLER: Objection, Your Honor. Compound
17 question and it's been asked and answered in part.

18 JUDGE CARISSIMI: Yes, I'm going to sustain the
19 objection. That's been asked and answered about the bouncers.

20 If you want to ask another question about other
21 individuals, you can do that, but in a separate question.

22 BY MR. FAYE:

23 Q As customers, are you aware of Mrs. Helms having a very
24 good work relationship with the wives and girlfriends of
25 African American bouncers of Kelly's?

1 A I'm not aware.

2 Q Is it correct that you observed Mrs. Helms interactions
3 with the African American bouncers at Kelly's Super Bowl party
4 in 2015?

5 A It was a big group. It was our entire staff. I saw her
6 interact with everybody.

7 Q Did you observe any problems with Mrs. Helms interactions
8 with everybody?

9 A With everybody, no.

10 Q Is it correct that Ms. Heyward's complaint to you about
11 Mrs. Helms as to service involved one African American
12 customer?

13 A Yes.

14 Q Before April 28th, 2015, when Ms. Heyward spoke to you, did
15 you see anything or observe anything in Mrs. Helms' character
16 that would suggest to you that she was a racist?

17 A No.

18 Q Is it correct that the customers of Kelly's are
19 overwhelmingly Caucasian?

20 MR. SCHADLER: Objection, Your Honor.

21 JUDGE CARISSIMI: You know, I'm going to overrule the
22 objection. But there's a lot of testimony in this record about
23 this issue.

24 And, you know, perhaps all of you think this is
25 critical. I know there's some statements in the record, but I

1 don't really want to belabor this issue anymore then it's
2 already been belabored.

3 I'm going to let you ask the question. I'm going to
4 direct you to answer.

5 But I hope there's not much more of this. 'Cause I
6 don't think it's very meaningful, frankly. You can answer.

7 THE WITNESS: Okay.

8 JUDGE CARISSIMI: If you remember.

9 THE WITNESS: The majority of the customers?

10 BY MR. FAYE:

11 Q Is it correct that the overwhelming majority of the
12 customers of Kelly's are Caucasian?

13 A That's correct.

14 MR. FAYE: I'll move on.

15 JUDGE CARISSIMI: Thank you, sir.

16 Q Now, you mentioned the hiring of three bartenders when on
17 April 9th, 2015. And you mentioned their names. Is it correct
18 that all three quit?

19 A That's correct.

20 Q Now, besides Chelsea Heyward, you mentioned Alisha. I
21 know you didn't know her last name.

22 Is it correct she only worked one day and then quit?

23 A I think that's correct, yes.

24 Q And Alisha Diggin?

25 A Diggins, I think, yes.

1 Q When did she quit?

2 A Again, I don't know when she quit exactly.

3 Q Chelsea, Lisa and Alisha were all hired as bartenders?

4 A Yes.

5 Q Now, is it correct that the next day after your
6 conversation on April 28th, 2015 with Ms. Heyward, that Mrs.
7 Helms on April 29th, the next day, 2015, worked a full shift
8 alone as a bartender at Kelly's?

9 A I don't recall.

10 Q Will you please take a look at Respondent's Exhibit of
11 schedules on page 34.

12 MR. SCHADLER: New exhibit, Dave?

13 MR. FAYE: Can we go off the record, Your Honor?

14 JUDGE CARISSIMI: Let's go off the record, yes.

15 (Whereupon, a brief recess was taken)

16 BY MR. FAYE:

17 Q Mrs. Mitchell, would you please take a look at what has
18 been identified as General Counsel Exhibit 8?

19 Could you please identify this document for the record?

20 A Yes. This is the shift schedule for a period April 27th,
21 2015 to May 3rd, 2015.

22 (General Counsel's Exhibit GC-8 identified)

23 Q In looking at the schedule for April 29th, 2015 is it
24 correct that Robin Helms, Mrs. Helms was the bartender that
25 evening at Kelly's?

1 A That's correct.

2 Q And she worked a full shift?

3 A I would assume so, yes.

4 Q What does the document indicate?

5 A It says 7:00 to close.

6 Q 7:00 p.m. to close.

7 A Yes.

8 Q And close it 2:00 a.m.

9 A On Wednesday, it can be. It can be earlier.

10 Q And then if a bartender is to close, is it correct that
11 they stay one more hour for cleanup?

12 A It depends on how many are on. I mean, that's kind of a
13 loose question.

14 Q When you have only one bartender like in this situation,
15 would that be true that you stay an extra hour for cleanup?

16 A Maybe, possibly.

17 JUDGE CARISSIMI: Mr. Faye, are you going to move for
18 the introduction of General Counsel --

19 MR. FAYE: Yeah. I'll move for the admission of GC
20 Exhibit 8.

21 MR. SCHADLER: There's not objection, Your Honor.

22 JUDGE CARISSIMI: All right. GC-8 is admitted.

23 (General Counsel's Exhibit GC-8 received)

24 MR. FAYE: Thank you.

25 BY MR. FAYE:

1 Q Now, is it correct that the incident that Ms. Heyward
2 complained to you about Mrs. Helms regarding service, that that
3 incident occurred on April 22nd, 2015?

4 A I'm sorry, April 22nd --

5 Q Yes.

6 A -- was what?

7 Q 2015.

8 A Was what?

9 Q The date of the incident that Ms. Heyward complained to
10 you about the service by Mrs. Helms.

11 A I don't know the date.

12 Q Do you remember how long before Ms. Heyward spoke to you
13 about the incident on April 28th, 2015, that the incident
14 occurred?

15 MR. SCHADLER: Objection. Relevancy.

16 JUDGE CARISSIMI: Well, no, I'm going to overrule the
17 objection. You can answer.

18 THE WITNESS: All right. I don't know.

19 Q Do you know whether the incident, by any chance, occurred
20 immediately after the hiring of Ms. Heyward?

21 A I don't know.

22 Q Is it correct that you were in the courtroom yesterday
23 during the entire testimony of Ms. Heyward?

24 A Yes, that's correct.

25 Q Were you surprised by Ms. Heyward's testimony that she was

1 not thrilled to see that Mrs. Helms was fired?

2 A Did I hear that?

3 Q No, were you surprised by her testimony?

4 A No.

5 MR. SCHADLER: Objection, Your Honor.

6 JUDGE CARISSIMI: Well, the witness has answered.

7 MR. SCHADLER: Yeah, I couldn't get it quick enough.

8 JUDGE CARISSIMI: The witness has answered the
9 question.

10 MR. FAYE: May I have one minute, Your Honor?

11 JUDGE CARISSIMI: You may. Let me know when you're
12 ready. Off the record.

13 (Whereupon, a brief recess was taken)

14 JUDGE CARISSIMI: Okay. Proceed, Mr. Faye.

15 MR. FAYE: Thank you.

16 BY MR. FAYE:

17 Q I'd like to turn to the meeting of April 30th, 2015,
18 please.

19 Is it correct that nothing was mentioned at the meeting
20 about a customer being African American?

21 A I don't remember bringing race in. Saying anything about
22 a black customer.

23 Q Is it correct, though, that nothing was said at this
24 meeting about a coworker of Mrs. Helms being African American?

25 A That's correct.

1 Q Is it correct that on April 30th, 2015 at this meeting,
2 that nothing was said about a black person who gave the person
3 a lot of business.

4 MR. SCHADLER: Objection, Your Honor. Vagueness.

5 JUDGE CARISSIMI: No, that's a pretty straightforward
6 question. I'm going to overrule the objection. You can
7 answer.

8 THE WITNESS: I knew I had someone coming in to look
9 at space that was a black customer and that was a concern of
10 mine.

11 I don't remember expressing that it was a black
12 customer to Robin at that meeting.

13 BY MR. FAYE:

14 Q Do you recall at the April 30th, 2015 meeting Mrs. Helms
15 raising the topic of her complaints to Ryan Henry and the
16 employer about shift scheduling?

17 A Well, at that time she said that she was no longer an
18 employee, but she did -- I did stick around to listen to what
19 she had to say.

20 And she did mention shift scheduling. But again this is
21 after the separation had taken place.

22 Q At what point in the April 30th, 2015 meeting did the
23 separation occur?

24 A At the beginning.

25 Q Did this occur when Mr. Mitchell told her that she was

1 fired?

2 A He didn't say, "you're fired." And I know this is a big
3 deal. I can see it both ways.

4 It was a, you're unhappy, we're unhappy, let's part ways.
5 It was of all the meetings I had, I did not feel like it was a
6 contention. It was mutual.

7 Q Is it correct that after Mr. Mitchell left the meeting,
8 that Mr. Henry and you continued to have a meeting with Mrs.
9 Helms?

10 A Again, it's not really a meeting. I was listening to what
11 she had to say.

12 I used that time to gather information so I could
13 constantly grow and better the business. It's called an exit
14 interview.

15 Q Is it correct that after Mr. Mitchell left the April 30th,
16 2015, meeting, that you continued to have a discussion and
17 conversation with Mr. Henry and Mrs. Helms?

18 A That's correct.

19 Q Is it your understanding -- is it correct that you
20 continued to have a discussion with Mrs. Helms at a time when
21 she was no longer an employee?

22 A That's correct.

23 Q At Kelly's?

24 A Yes.

25 Q Do you recall at the April 30th, 2015 meeting, Mrs. Helms

1 stating that she felt that she was always walking on egg shells
2 because of the stress of not knowing whether she would be
3 working or not.

4 A Yes, that's correct.

5 MR. FAYE: May I have one more minute, Your Honor,
6 please?

7 JUDGE CARISSIMI: Off the record.

8 MR. FAYE: Thank you.

9 JUDGE CARISSIMI: Tell me when you're ready.

10 (Whereupon, a brief recess was taken)

11 BY MR. FAYE:

12 Q Is it correct that at the April 30th, 2015 meeting that you
13 noted to Mrs. Helms that Mr. Mitchell had wanted to fire the
14 entire staff and you had stopped him?

15 A I wouldn't be surprised if I had said that at the end. I
16 wouldn't have been surprised.

17 Q Do you recall it?

18 A I don't recall it exactly. I don't recall it.

19 Q Thank you. In your position with the employer, were you
20 aware of the Valentine's Day 2015 customer complaint about
21 bartender Sarah Clark, telling allegedly a customer fuck you,
22 I'm not going to serve you because you don't tip well enough,
23 and she works for tips?

24 A Yes, I was aware. I was made aware by email.

25 Q And isn't it correct that the employer did not suspend or

1 discharge Sarah Clark?

2 A Correct. We did not suspend or discharge her.

3 Q And, in fact, when she left the employer, it was on her
4 terms because she's graduating college and moving to New York
5 City because of another job?

6 A That's correct.

7 MR. FAYE: May I have one final moment, Your Honor.

8 JUDGE CARISSIMI: You may, Mr. Faye. Off the record.

9 (Whereupon, a brief recess was taken)

10 MR. FAYE: Thank you, Your Honor. I have no other
11 questions at this time.

12 JUDGE CARISSIMI: Very good. Is there any redirect?

13 MR. SCHADLER: One brief question.

14 REDIRECT EXAMINATION

15 BY MR. SCHADLER:

16 Q Ms. Mitchell, speaking to the conversation you had with --
17 after the termination, the exit interview.

18 When the scheduling came up, did Robin raise her
19 scheduling issue or scheduling issues on behalf of other
20 employees?

21 A It was hers.

22 MR. SCHADLER: I have nothing further, Your Honor.

23 Thank you.

24 JUDGE CARISSIMI: Very good. Mrs. Mitchell, you are
25 excused as a witness. You may step down.

1 You can give that to Mr. Schadler. That's a
2 Respondent Exhibit. And let's go off the record.

3 (Whereupon, a brief recess was taken)

4 JUDGE CARISSIMI: And do you have another witness for
5 us?

6 MR. SCHADLER: Absolutely. We've got witnesses lined
7 up for you, Your Honor. We wanted to make sure everyone's
8 here.

9 JUDGE CARISSIMI: Mr. Schadler, you may call your
10 next witness.

11 MR. SCHADLER: The Respondent will call Mike Bevevino
12 to the stand.

13 JUDGE CARISSIMI: Sit down, could you raise your
14 right hand, sir?

15 Whereupon,

16 MICHAEL BEVEVINO

17 Having been duly sworn, was called as a witness herein, and was
18 examined and testified as follows:

19 JUDGE CARISSIMI: You may proceed.

20 MR. SCHADLER: Thank you, Your Honor.

21 DIRECT EXAMINATION

22 BY MR. SCHADLER:

23 Q Good afternoon, Mr. Bevevino.

24 A Good afternoon.

25 Q And one of the things of my opening instruction is that

1 everything that you're saying, gentleman takes down.

2 So whenever you have an answer, you have to make sure it's
3 verbal. Just the instruction we give every witness.

4 Am I saying your last name correctly, sir?

5 A Yes. Bebevino.

6 Q Bebevino. All right. Mr. Bebevino, where are you
7 currently employed?

8 A McGillin's Olde Ale House.

9 Q And how long have you been so employed there, sir?

10 A About a year.

11 Q And before you were employed at McGillin's Olde Ale House,
12 where were you employed?

13 A Kelly's.

14 Q And Kelly's, where is that located at?

15 A Bryn Mawr.

16 Q And the full name of that would be Kelly's?

17 A Kelly's Tap Room.

18 Q All right. And how long did you work at Kelly's Tap Room?

19 A Six and a half years.

20 Q And how long have you been in the food service industry?

21 A Thirty years.

22 Q You stated you worked there for approximately six years.
23 What was your position there?

24 A Bartender.

25 Q And eventually were you the most senior bartender?

1 A I was the most senior full-time bartender.

2 Q And do you do any shifts or any work with Kelly's now?

3 A No.

4 Q Do you do any work for Gene or Angie Mitchell or any of
5 the restaurants?

6 A No.

7 Q And as the most senior full-time bartender there, would
8 you please describe -- first of all, how many bartenders were
9 there?

10 A I'd say between 7 and 10, depending on the season, time of
11 year. On the busier shifts, there would be five of us.

12 Q And s the most senior bartender, what were your
13 responsibilities?

14 A For Gene and Angie I did some beer ordering. And I would
15 drop the money at the end of the night.

16 Q Now, being there so long, did you know the other
17 bartenders there?

18 A Yeah.

19 Q Did you know about conversations or did you have
20 conversations with other bartenders?

21 A There's a lot of downtime. Yeah, I had a lot of
22 interaction with the other bartenders.

23 Q And are you familiar with Robin Helms?

24 A Yes.

25 Q And how are you familiar with Robin Helms?

1 A She worked at Kelly's also.

2 Q And what was your relationship like with Robin Helms?

3 A Just co-workers.

4 Q And did you have any personal relationship?

5 A No, sir.

6 Q And were you aware of any comments Robin made about her
7 employment at Kelly's?

8 A Just the typical complaints people have about schedules
9 and things like that.

10 Q Were those complaints related to Robin or to other
11 coworkers?

12 A To Robin.

13 Q What was your impression as far as working with Robin?

14 A She was confident.

15 Q And what was her attitude like?

16 A She had a positive attitude towards customers, but she
17 didn't always have a positive towards the job.

18 Q And what do you mean by that?

19 A In the restaurant business, and this is, you know, like I
20 said, I've been doing this a long time, there are certain
21 things that are just universal.

22 You have to work some crappy shifts if you want to get the
23 great shifts. Not everybody wants to do that, but it's, you
24 know, part of the business.

25 Q Understood.

1 A And Robin wasn't happy about having to do the crappy
2 shifts.

3 Q Now, did you work with the other bartenders?

4 A Mm mmm.

5 JUDGE CARISSIMI: Is that a yes?

6 THE WITNESS: Yes.

7 Q Did you ever have occasion to discuss issues with other
8 bartenders?

9 A Yes.

10 Q Now, was it ever brought to your attention that Robin was
11 going to management about issues related to everyone or just
12 herself?

13 A Neither.

14 Q So you weren't aware of either?

15 A I wasn't aware that she was going to management, no.

16 MR. SCHADLER: May I have one second, Your Honor?

17 JUDGE CARISSIMI: You may.

18 Q Did you ever know Robin to go to management on behalf of
19 other bartenders?

20 A No.

21 Q And the complaint that you heard from Robin, were they
22 about, relative to Robin or coworkers?

23 A To Robin.

24 MR. SCHADLER: I have nothing further of this
25 witness.

1 MR. FAYE: May I have a moment, Your Honor?

2 JUDGE CARISSIMI: You may. Off the record.

3 (Whereupon, a brief recess was taken)

4 JUDGE CARISSIMI: You may proceed. Oh, I'm sorry, we
5 have some questions.

6 Counsel Respondent indicated that there were two
7 additional questions that he would like to ask that that he
8 neglected to ask on direct.

9 So I'm giving him permission to do so.

10 MR. SCHADLER: Thank you.

11 DIRECT EXAMINATION (cont)

12 BY MR. SCHADLER:

13 Q Did you ever have a problem on approaching Gene or Angie
14 with any concerns you had?

15 A No.

16 Q And did you ever make a request of Gene or Angie about
17 scheduling with Robin?

18 A No.

19 Q Specifically you being scheduled?

20 A No.

21 MR. SCHADLER: All right. Nothing further.

22 CROSS EXAMINATION

23 BY MR. FAYE:

24 Q Mr. Bevevino, can you please spell your last name for the
25 record?

1 A It's B-E-V-E-V-I-N-O.

2 Q Thank you. That must get misspelled a lot. Can you also
3 please give your address for the record?

4 A My home address?

5 Q Yes.

6 A 5244 Apache Lane, Drexel Hill, PA.

7 Q Zip code, please?

8 A 19026.

9 Q Mr. Bevevino, I'm David Faye. I'm an attorney for the
10 National Labor Relations Board.

11 Can you please tell me, is it correct that you left the
12 employment of the employer in late March, 2015?

13 A No, April. Early April.

14 Q Early April, 2015?

15 A Yeah.

16 Q And in your role as a bartender, did you work generally at
17 a particular spot in the bar?

18 A Yes.

19 Q And which was that?

20 A Closest to the door.

21 Q Is there one bar area or two bar areas?

22 A Two.

23 Q And which one did you work at?

24 A The downstairs bar.

25 Q That's where you work, was actually through your

1 employment?

2 A No. Where I became the most senior full time bartender.

3 That's when I moved to that area of the bar.

4 Q When was that, Mr. Bevevino? You knew that question was
5 next.

6 A Probably the last three years I was there.

7 Q Okay. Did you have other employees in your last few weeks
8 of employment at Kelly's, did other employees tell you about or
9 complain to you about their work schedules, shifts?

10 A Not that I remember.

11 Q Not that you remember. Do you remember any employees
12 mentioning to you, or were you present for it to hear about
13 complaints that they were aware that Mrs. Helms was complaining
14 about her shift schedules?

15 A I vaguely remember hearing people complain. Robin's
16 complaint's.

17 Q Were those employees by any chance Sarah Clark and/or Kris
18 Flood?

19 A Yes.

20 Q Both?

21 A I don't remember.

22 Q Did you observe however Robin Helms and Kris Flood and
23 Sarah Clark talking about and complaining about the topic of
24 shift schedules?

25 A Not that I remember.

1 Q You don't recall?

2 A Mm mmn.

3 Q Is that a no?

4 A No.

5 Q Was there occasion where you were part of a discussion
6 where Robin Helms and other employees were complaining about
7 the work schedule? As best as you can recall.

8 A I didn't directly interact with Robin very much, so I'd
9 have to say no.

10 Q Do you remember overhearing or being near them in the bar,
11 yeah, near the bar where you weren't part of the discussion,
12 but you overheard Robin Helms with either Kris Flood or Sarah
13 Clark talking about discussing and complaining about their
14 shift schedules.

15 MR. SCHADLER: Objection, Your Honor. Asked and
16 answered.

17 JUDGE CARISSIMI: Overruled. It's cross examination.
18 I'll give him a little bit of leeway.

19 THE WITNESS: The kind of conversation you're
20 describing, in my mind I see that as something happening at the
21 end of the shift when everybody's sitting around counting the
22 money.

23 I wasn't present for those conversations 'cause I was
24 down in the office counting the restaurant's money. Not the
25 tip money. So I wouldn't have been there for that.

1 JUDGE CARISSIMI: Let me interrupt for a second, to
2 make sure Mr. Bevevino understands the rules.

3 When there's an objection, if I say, "overruled,"
4 that means you can answer.

5 If I say, "sustained," that means I didn't like the
6 question and you don't have to answer it.

7 THE WITNESS: Okay.

8 JUDGE CARISSIMI: And if you have any questions about
9 any rules, you ask me, all right?

10 THE WITNESS: Okay.

11 JUDGE CARISSIMI: And the other thing is before you
12 answer a question, if you just pause for a moment, that gives
13 the opposing attorney a chance to object.

14 THE WITNESS: Okay.

15 JUDGE CARISSIMI: If he's going to. Thank you, sir.
16 Mr. Faye, you --

17 MR. FAYE: May I have one last moment, Your Honor?

18 JUDGE CARISSIMI: Yes, you may. Let's go off the
19 record and you tell me when you're ready.

20 (Whereupon, a brief recess was taken)

21 MR. FAYE: Further.

22 JUDGE CARISSIMI: No further questions? Thank you.
23 Is there any redirect?

24 MR. SCHADLER: Briefly. If I may?

25 JUDGE CARISSIMI: You may.

1 MR. SCHADLER: Thank you.

2 REDIRECT EXAMINATION

3 BY MR. SCHADLER:

4 Q Mr. Bevevino, you said that you did not directly interact
5 with Robin. Did you work with her?

6 A Yeah.

7 Q Why didn't you directly interact with her?

8 A Unless it was something specifically work related, I tried
9 to avoid conversation with her.

10 Q Why is that?

11 A Different personalities, didn't get along.

12 Q And you said that you worked mostly by the door. Did you
13 also work at other areas of the restaurant?

14 A When I say worked mostly by the door, when we had a full
15 bartending staff on.

16 So the downstairs bar that would be three people. I
17 worked closest to the door.

18 Q Okay.

19 A A lot of shifts, I worked lunch shifts when I would be
20 there by myself.

21 So I would work the whole bar and the whole dining room.

22 Q Did you ever work as a server?

23 A On those days, yes.

24 Q Did you ever work the upstairs bar?

25 A Very infrequently for those couple of years.

1 Q But you said very quickly, but you did --

2 A I did. If there's a private party or something I would be
3 up there, but I would never be scheduled to be up there.

4 MR. SCHADLER: Nothing further.

5 JUDGE CARISSIMI: Nothing further? Very good. Let
6 me arrange -- anything, Mr. Faye?

7 MR. FAYE: No, thanks.

8 JUDGE CARISSIMI: Very good. Mr. Bevevino, you're
9 excused as a witness, sir. You may step down.

10 MR. SCHADLER: May he be excused from subpoena, Your
11 Honor?

12 JUDGE CARISSIMI: Yes.

13 MR. SCHADLER: He is due at work.

14 JUDGE CARISSIMI: Yes. Very good.

15 THE WITNESS: Thank you.

16 JUDGE CARISSIMI: Thank you, sir. We'll take a five-
17 minute recess and that will allow you to bring your next
18 witness in.

19 MR. SCHADLER: Yes, Your Honor.

20 JUDGE CARISSIMI: And if anyone needs to go to the
21 restroom or anything.

22 (Whereupon, a brief recess was taken)

23 JUDGE CARISSIMI: Still on the record. Mr. Schadler,
24 you may call your next witness.

25 MR. SCHADLER: At this time I call Robert Stedeford

1 to the stand.

2 JUDGE CARISSIMI: Sir, if you'd please raise your
3 right hand.

4 Whereupon,

5 ROBERT STEDEFORD

6 Having been duly sworn, was called as a witness herein, and was
7 examined and testified as follows:

8 JUDGE CARISSIMI: Please have a seat.

9 MR. SCHADLER: May I, Your Honor.

10 JUDGE CARISSIMI: Proceed.

11 DIRECT EXAMINATION

12 BY MR. SCHADLER:

13 Q Would you please state your full name for the record?

14 A Robert John Stedeford.

15 Q If you could please spell your last name, please.

16 A S-T-E-D-E-F-O-R-D.

17 Q Mr. Stedeford, allow me to take this opportunity to
18 express my gratitude to you.

19 I called you this morning and you showed up. I really do
20 appreciate that on such short notice. I do thank you for that.

21 A You're welcome.

22 Q Mr. Stedeford, where are you currently employed?

23 A Flipping Bialys.

24 Q And Flip and Baileys is owned by who?

25 A Gene and Angie Mitchell.

1 Q And are you familiar with Kelly's Tap Room?

2 A Yes. I worked there as well.

3 Q And when did you work there, sir?

4 A Up until December. I worked there for about two years.

5 Q December of what year?

6 A Oh, I'm sorry, December of 2015.

7 Q So we're just talking about just this December past.

8 A Correct.

9 Q And what was your position there?

10 A I was night manager, security manager.

11 Q And what does that entail?

12 A I would come in at 9:00. I would coordinate with
13 bartenders to see if there were any events going on. What's
14 going on that night.

15 And then I'd get all my bouncers into position and we
16 start the transition to floors to get ready for the nightlife
17 as we transitioned from a restaurant to not quite a nightclub,
18 but you know, like dancing and drinks.

19 Q Did you have an occasion to interact with Ms. Helms while
20 you were employed there?

21 A Yes.

22 Q What was your impression of Ms. Helms?

23 A Somewhat difficult to work with. A pleasant person, but
24 difficult to be with going into business with herself.

25 Q Why do you say that? What do you mean?

1 A Just with shifts and stuff, like there always seemed to be
2 an issue of not getting the appropriate shifts that she deemed
3 appropriate.

4 Q And when you say that, did you have conversations or did
5 you hear conversations with Ms. Helms?

6 A Both first and third person.

7 Q When I say specifically, I'm talking about, I'm talking
8 about you heard personally.

9 A Correct. Right.

10 Q Okay. I wanted to make sure that was clear. Didn't want
11 to draw an objection.

12 So those conversations, what was Ms. Helms complaint?

13 A It's mostly shifts, not getting the shifts she wanted.

14 Q When you say, "she," did she ever avocation on anyone
15 else's behalf?

16 A Not to my knowledge, no.

17 Q And to your knowledge who's half did she advocate on?

18 A Hers.

19 Q And now you said you've worked with Gene and Angie for, I
20 didn't hear the --

21 A Over three years.

22 Q Have you had time to interact with them in those three
23 years?

24 A Yes.

25 Q And how would you describe or if you could describe their

1 approachability?

2 A Easy to approach.

3 Q Did you ever have a problem approaching them with an
4 issue?

5 A No. It's always been an open door policy since I started
6 working there, just as a security guard.

7 Q And when you say it's an open door policy, what do you
8 mean by that?

9 A Like you could feel free to call them or email them and go
10 to them with any issues.

11 Q Did you ever fear that if you emailed or called them that
12 they would retaliate against you for doing so?

13 A No.

14 MR. SCHADLER: Your Honor, I have nothing further of
15 this witness, thank you.

16 JUDGE CARISSIMI: Very good. Cross examination, Mr.
17 Faye.

18 CROSS EXAMINATION

19 BY MR. FAYE:

20 Q Mr. Stedeford, my name is David Faye. I'm an attorney for
21 the National Labor Relations Board.

22 Can you please state your home address for the record?

23 A Sure. It's 239 Williams Road, Bryn Mawr, PA, 19010.

24 Q Thank you. When did you become employed by Kelly's?

25 A It's right before St. Patrick's Day, 2014, I think. My

1 memory's a little fuzzy on it.

2 Q I'm sorry, what date, as best as you can recall?

3 A St. Patrick's Day, 2014, I think. Or before that. I'm
4 not 100% sure the exact date.

5 But I had worked for Flippin Bailey's and Kelly's at the
6 same time, but it was more so when I, right before St.
7 Patrick's Day where I just worked at Kelly's.

8 So when I was hired as a security guard, I would work at
9 Flips and Kelly's. So it really goes back to March 2013.

10 Q Okay. But was your last time working for Kelly's around
11 St. Patrick's Day?

12 A No. My last day working at Kelly's was this past
13 December.

14 Q Oh.

15 A So December 5th, 2015.

16 Q Okay. At some point you became security manager?

17 A Yes.

18 Q And when was that, sir?

19 A That was probably -- it was March 2014.

20 MR. FAYE: I'd like to know whether there's a
21 stipulation that Mr. Stedeford is a supervisor, an agent within
22 the meaning of the Act.

23 JUDGE CARISSIMI: Counsel?

24 MR. SCHADLER: May I have one moment to discuss with
25 Counsel?

1 JUDGE CARISSIMI: Sure.

2 MR. SCHADLER: Thank you.

3 JUDGE CARISSIMI: Let's go off the record.

4 (Whereupon, a brief recess was taken)

5 JUDGE CARISSIMI: I understand that the parties have
6 reached a stipulation regarding -- sir, how do you pronounce
7 your name?

8 THE WITNESS: Stedeford.

9 JUDGE CARISSIMI: Stedeford. Mr. Stedeford's status.
10 Is that correct, Mr. Faye?

11 MR. FAYE: Yes, I request a stipulation that Mr.
12 Stedeford was a supervisor and agent of first Respondent
13 employer within the meaning of the Act.

14 JUDGE CARISSIMI: And are you willing to stipulate to
15 that Mr. Schadler?

16 MR. SCHADLER: One second, Your Honor. Yes, Your
17 Honor. I will stipulate to that.

18 JUDGE CARISSIMI: I will accept a stipulation and you
19 may proceed, Mr. Faye.

20 MR. FAYE: Thank you.

21 BY MR. FAYE:

22 Q At the beginning of a shift, Mr. Stedeford, do you recall
23 having or being part of conversations with Robin Helms and
24 bartender Kris Flood, where they complained?

25 A Yes.

1 Q Finish the sentence.

2 JUDGE CARISSIMI: Let the attorney finish his
3 question.

4 THE WITNESS: Sorry, I thought he was finished.

5 JUDGE CARISSIMI: I understand.

6 THE WITNESS: Sorry.

7 Q Where they complained about their shift schedules?

8 A Yes.

9 Q And do you recall, is it also true that there were times
10 at the end of the shift when the same people, Kris Flood and
11 Mrs. Helms were complaining to you about their shift schedules?

12 A Beginning or end, I'm not 100% sure. I remember them
13 occurring.

14 I can't speculate as to what point in the night it was.
15 But there were definitely complaints from both parties, yes.

16 Q Do you recall them complaining about their shifts to you
17 during the last few weeks of Mrs. Helms employment?

18 A I don't recall that period of time.

19 I don't remember when she was dismissed or -- I just don't
20 remember that. If you gave me a timeframe, I might be able to
21 remember that.

22 Q Do you recall when Sarah Clark left the employment of the
23 employer?

24 A I have an idea of the time.

25 Q Do you recall when Michael Bevevino left the employment?

1 A Yes.

2 Q Do you recall whether or not Mrs. Helms left after Mr.
3 Bevevino and before Ms. Clark?

4 A I believe she left before Mike.

5 Q Do you recall whether it was in the same timeframe roughly
6 as Mike's departure? Mr. Bevevino's departure?

7 A I don't recall, no.

8 Q Did you complain to Kris Flood and Robin Helms during
9 those conversations about your shift?

10 A No.

11 Q You were just a recipient?

12 A Yeah. I was just a listening ear. I had pretty much the
13 same shifts every week.

14 Q I see, I see. Before I stop my questions here, Mr.
15 Stedeford, my understanding is that is it correct that there
16 were conversations you had with Kris Flood and Robin Helms
17 together, where the two of them, not you, were complaining
18 about their shift schedules?

19 A That has occurred, yes.

20 Q Do you know how many times you were in conversation with
21 Ms. Flood and Mrs. Helms where similar conversations about
22 complaints about the shifts schedules were made?

23 A You mean come up with a number?

24 Q If you recall. I want to see how frequently.

25 A A few times a week. I mean, I was at Kelly's Thursday,

1 Friday, Saturday and I'd say I'd hear it at least two to three
2 times in that timeframe per week.

3 Q By any chance, Mr. Stedeford, do you recall conversations
4 together with Ms. Flood and Mrs. Helms where the two of them
5 specifically complained about the shift schedules in terms of
6 the fact that new bartenders were being hired?

7 A I do not.

8 Q Thank you.

9 JUDGE CARISSIMI: Anymore? Redirect?

10 MR. SCHADLER: Yes, point of clarification.

11 REDIRECT EXAMINATION

12 BY MR. SCHADLER:

13 Q When these conversations took place, when did, 'cause a
14 little bit unclear, and maybe I'm not following this. The
15 woman, Ms. Lang was the last name?

16 A Kristin? Yeah.

17 Q Kristin, yes. Was she complaining about her scheduling?

18 A Kristin why -- complaining about her schedule?

19 Q Yeah. Her schedule.

20 A Kristin Flood.

21 Q Flood, I'm sorry. Was she complaining about her
22 scheduling?

23 A At times. Not nearly as frequently.

24 Q Okay. And I'm talking about specifically the conversation
25 that you had with Kristin and Robin.

1 A It was more Kris was just there. She wasn't doing as much
2 talking.

3 MR. FAYE: Your Honor,

4 THE WITNESS: But Kris had --

5 JUDGE CARISSIMI: Sorry, do you have an objection?

6 MR. FAYE: Well, it's just, put in information,

7 Counsel inadvertently mixing up two people.

8 It isn't Kristin at all. It's Kris Flood versus a
9 statutory supervisor named Kristin Lang.

10 So I just want to don't want the witness to be
11 responding to the wrong --

12 JUDGE CARISSIMI: I'm aware of --

13 MR. SCHADLER: That's my fault. I'll be clear.

14 JUDGE CARISSIMI: Okay. Let's try to be clear on the
15 question. And you're familiar with these people, sir --

16 MR. FAYE: Yes.

17 JUDGE CARISSIMI: -- so

18 MR. FAYE: I know we're not talking about Kristin
19 Lang right now.

20 JUDGE CARISSIMI: All right.

21 BY MR. SCHADLER:

22 Q Kris Flood and Robin Helms.

23 A Yes.

24 Q Would talk to you about complaints of shift schedule?

25 A Correct.

1 Q And would Robin complain about her shift schedule?

2 A Yes.

3 Q And would Kristin complain about her shift schedule?

4 A Sometimes.

5 Q And were there ever times they complained on behalf of
6 other people to you?

7 A No.

8 MR. SCHADLER: Nothing further.

9 JUDGE CARISSIMI: Very good. I take it there's
10 nothing within that limited range, Mr. Faye?

11 MR. FAYE: No, nothing, nothing else.

12 JUDGE CARISSIMI: Okay. Thank you very much, sir.
13 You're excused. You may step down.

14 THE WITNESS: Thank you. And you have another
15 witness for us, sir?

16 MR. SCHADLER: Yes, Your Honor. I have one more
17 witness. May I be excused, but may I also have this witness
18 released from his subpoena?

19 JUDGE CARISSIMI: Yes, you may. You're released,
20 sir.

21 MR. SCHADLER: Okay.

22 JUDGE CARISSIMI: Go off the record.

23 (Whereupon, a brief recess was taken)

24 JUDGE CARISSIMI: Mr. Schadler, you may call your
25 next witness.

1 MR. SCHADLER: The Respondent calls Ryan Henry to the
2 stand.

3 JUDGE CARISSIMI: Will you please raise your right
4 hand?

5 Whereupon,

6 RYAN HENRY

7 Having been first duly sworn, was called as a witness herein,
8 and was examined and testified as follows:

9 JUDGE CARISSIMI: You may proceed, sir.

10 MR. SCHADLER: Thank you.

11 DIRECT EXAMINATION

12 BY MR. SCHADLER:

13 Q Good afternoon, Mr. Henry. One of the things that you're
14 going to need to do for testimony is this gentleman here is
15 picking up everything that you say.

16 So when you testify if you can keep your voice up, speak
17 slowly and head nods will not get picked up, so just make sure
18 you vocalize every answer. Okay, sir?

19 A Sure.

20 Q Thank you. Mr. Henry, I'd like to take you back to your
21 employment. Were you ever employed at Kelly's Tap Room?

22 A Yes.

23 Q And how long were you approximately employed there?

24 A About a year.

25 Q And are you familiar with Robin Helms?

1 A Yes.

2 Q And did you work with Robin Helms there?

3 A Yes.

4 Q I'd like to turn your attention specifically to a meeting
5 with Robin, Gene and Angie. Were you present at that meeting,
6 sir?

7 A Yes.

8 Q And if you could, please tell us the point of that
9 meeting, sir. Meeting took place April 30th, approximately,
10 2015?

11 A That sounds about right, yeah.

12 Q And I know you're not firm on some of the dates, and
13 that's okay. What was the purpose of that meeting?

14 A The one which I believe you're referring to is the one
15 which was regarding the termination of the employee.

16 Q Who was the employee?

17 A Robin. Robin Helms.

18 Q And that is the one I am talking about.

19 A Right.

20 Q Can you please tell us what was, first off, where did that
21 meeting take place?

22 A Took place in the office down in the basement of Kelly's
23 Tap Room.

24 Q And were you present for the meeting?

25 A I was.

1 Q Who else was present for the meeting?

2 A Gene and Angie Mitchell.

3 Q And if you could please tell us what took place in that
4 meeting?

5 A Right. So I was asked to get Robin Helms, not knowing
6 what the topic was. I brought her down to the office.

7 There were some questions about behavior specifically
8 relating to at one point discriminatory acts regarding race.

9 I was listening to that conversation. At that point when
10 she was asked about that specific piece about race, she had
11 agreed that she had, how do I put it, done that act, I guess.

12 And from there she was let go. And I was witness to that.

13 Q And what reasons were given for her being let go?

14 A I believe it was directly tied to the discriminatory act.

15 Q And when you say, "the discriminatory act," that was --

16 A Regarding race. Yeah.

17 Q Now, during your time there, you knew Gene and Angie?

18 A Yes.

19 Q And did you have their phone number?

20 A Yes.

21 Q Their email?

22 A Mm mmm.

23 MR. FAYE: Is that a yes?

24 THE WITNESS: Yes.

25 JUDGE CARISSIMI: Yeah, yes or no, sir. Thank you.

1 Q Did you have any problems ever contacting them?

2 A Sometimes or rarely. I could usually get a hold of one of
3 them if not someone else who was in charge of the restaurant.

4 Q And did they respond to you normally?

5 A Pretty promptly. Probably more than I responded to them
6 at times.

7 Q I won't hold you to that, sir.

8 A Okay.

9 Q Fair enough. And did you find their interactions with
10 them over email to be cordial and pleasant?

11 A Professional.

12 Q Now, your time as a manager, is there a time when Robin
13 approached you about scheduling?

14 A Yes.

15 Q And what were the nature of her concerns about scheduling?

16 A If I remember correctly, there was at least one occurrence
17 where she brought up concerns about scheduling, that she wanted
18 a particular schedule.

19 Q I'm sorry, I didn't mean to cut you off.

20 A She requested a particular scheduling based off of what
21 was assumed was her previous schedule.

22 Q And were those concerns related to Robin or related,
23 specifically, or did you bring up concerns to at least
24 everybody?

25 A I distinctly remember specifically towards her. I do not

1 recall if it expands beyond just her.

2 JUDGE CARISSIMI: You may proceed, sir.

3 MR. SCHADLER: Your Honor, I have nothing further.

4 JUDGE CARISSIMI: Very good. Cross examination.

5 MR. FAYE: May I have a few minutes, Your Honor.

6 JUDGE CARISSIMI: You may. Let's go off the record.

7 You can tell me when you're ready, Mr. Faye.

8 (Whereupon, a brief recess was taken)

9 JUDGE CARISSIMI: Mr. Faye, you may cross examine.

10 CROSS EXAMINATION

11 BY MR. FAYE:

12 Q Mr. Henry, my name is David Faye. I'm one of the
13 attorneys here at the National Labor Relations Board. Please
14 state your home address for the record.

15 A Sure. 308 South Bryn Mawr Avenue, Bryn Mawr,
16 Pennsylvania.

17 Q For the record, Bryn Mawr is spelled B-R-Y-N, space, M-A-
18 W-R.

19 A That's correct.

20 Q Tough name. When were you hired by Kelly's?

21 A I was hired in the fall of 2014, I believe.

22 Q Best as you can recall?

23 A Yes.

24 Q And what position, job classification were you hired for?

25 A General manager.

1 Q And when did you leave the employment of Kelly's?

2 A About a year later in 2015.

3 Q And who were you employed by next?

4 A Wize Hive.

5 Q Did you work for another bar or restaurant owned by or
6 coowned by Mr. Mitchell?

7 A Correct.

8 Q And what's the name of it?

9 A Garrett Hill Ale House.

10 Q When did you work for them?

11 A A month, two months towards the end of my employment. It
12 was in the fall of 2015.

13 Q Were you working for that entity at the same time you were
14 still working for Kelly's?

15 A Well, I believe they were separate, actually.

16 Q So did you finish working for Kelly's before you worked at
17 Garrett's?

18 A I don't know how to answer that question.

19 Q Did you work for Garrett's after you worked for Kelly's?

20 A My understanding is that they own both locations.

21 Q But they're different locations.

22 A Correct.

23 Q Were you done working at the Kelly's location when you
24 began working at the Garrett's location?

25 A Yes.

1 Q Okay. How long did you work at the Garrett location?

2 A Couple months.

3 Q And what period of time, sir, are we talking about that
4 you worked at the Garrett's location?

5 A A couple months, towards the beginning of fall 2015.

6 Q Of 2000?

7 A '15 if I remember correctly.

8 JUDGE CARISSIMI: Mr. Henry, I'm going to ask you to
9 keep your voice up. When that air conditioner goes on --

10 THE WITNESS: Yes.

11 JUDGE CARISSIMI: -- it's a little harder for people
12 to understand, so just remember speak up.

13 THE WITNESS: Gotcha.

14 BY MR. FAYE:

15 Q And after that you have not worked for any business owned
16 by Mr. Mitchell?

17 A Correct.

18 Q Do you recall at all, what, if any, discriminatory -- you
19 made a reference to a discriminatory incident. Do you remember
20 anything more specific at this time or no?

21 A Not much, no.

22 Q Okay. As for your testimony, Mrs. Helms was let go at the
23 meeting. Do you recall Mr. Mitchell telling Mrs. Helms that
24 she was fired.

25 A Yes.

1 MR. FAYE: May I have one second, Your Honor, please?

2 JUDGE CARISSIMI: Off the record.

3 (Whereupon, a brief recess was taken)

4 JUDGE CARISSIMI: Mr. Faye, you may proceed.

5 BY MR. FAYE:

6 Q Do you recall bartender Kris Flood?

7 A Yes.

8 Q And do you recall Kris Flood and Mrs. Helms together
9 talking to you about their concerns about schedules and shifts
10 in light of Michael Bevevino leaving shortly?

11 A Yes.

12 Q And in that conversation did Mrs. Helms, as well as Ms.
13 Flood express their worries about their shifts now that Mr.
14 Bevevino was leaving Kelly's?

15 A It was common for employees to often complain about
16 scheduling which I feel is common in most restaurants.

17 Q Sure.

18 A So that, yeah. They were also -- I would include them in
19 that.

20 Q You include them that -- but you recall --

21 A That they expressed that they wanted to contribute their
22 opinions to the scheduling.

23 Q Do you recall the two of them, Mrs. Helms and Ms. Flood
24 complaining together to you or expressing their concerns about
25 their shifts just before -- because Mike Bevevino was leaving

1 the company. Do you remember --

2 A I remember Ms. Helms and one other person was in the room
3 with me discussing scheduling. I do not remember if that was
4 Kris Flood or not.

5 Q Do you remember if both bartenders were concerned about --
6 expressed in that conversation how their concerns in shifts
7 particularly since Mr. Bevevino was leaving?

8 A Could you state that again?

9 Q Do you recall a conversation where Mrs. Helms and another
10 bartender both expressed their concerns to you in a
11 conversation particularly in light of Mr. Bevevino leaving.

12 A Can you be more specific as to what kind of concerns?

13 Q Yes. Well, concerns with their schedules and shifts of
14 what schedules and shifts they'd be able to get particularly
15 with Mike leaving?

16 A Ms. Helms did express concern over her schedule, when Mike
17 was leaving, yes.

18 Q Do you remember the other bartender who was present also
19 similarly expressing concerns that's in conversation.

20 A I do not remember.

21 Q Okay. And do you recall -- is it correct that with Mike
22 Bevevino leaving there would be more lucrative shifts that Mr.
23 Bevevino had now available to other bartenders?

24 A I don't know how to answer that question based off of what
25 we are determining as lucrative.

1 Q Well, is it correct that the more lucrative shifts are
2 Thursday, Friday and Saturday night beginning at 5:00?

3 A It's possible.

4 Q Well, are those shifts that often went to Mr. Bevevino
5 because of his seniority or longevity?

6 A Mr. Bevevino had generally a set schedule. I can't say as
7 to why he had the schedule that he had.

8 But he also was a bar manager. And his schedule was set.
9 I should clarify that, it was generally set, not 100%.

10 Q And in the conversation before Mr. Bevevino left the
11 employment of Kelly's, in the conversation that you had with
12 Mrs. Helms in the presence of another employee where Mrs. Helms
13 expressed concerns about her shifts, do you recall at this
14 time, do you recall what the other employee, if anything, said
15 about concerns about shifts, schedules, hours?

16 A Not specifically, no.

17 Q Now, turning attention to the meeting you were at where
18 Mrs. Helms was discharged.

19 Do you recall if that meeting was on or about April 30th,
20 2015?

21 A Again, sounds about right.

22 Q Do you recall at that meeting Mrs. Helms turning to you
23 and stating to you during that meeting, you know I've
24 complained. Do you recall her saying that to you at that
25 meeting?

1 A I do not recall.

2 Q Do you recall at the April 30th, 2015 meeting you saying to
3 Mrs. Helms that you know your complaints aren't going to be
4 handled the way you want, and I think you just didn't like my
5 answers.

6 A I do not recall.

7 Q Do you remember at the April 30th, 2015 meeting Mrs. Helms
8 saying that her complaints have always been the same, that
9 there is a lack of restaurant management, that the shifts were
10 not scheduled correctly and that all employees are walking on
11 eggshells, waiting to see if they would have a scheduled shift
12 one day or the next?

13 A I do not recall if that's specifically what she said. But
14 I can tell you the reason I understood for her termination was
15 based on the discriminatory act involving this.

16 Q What, if anything, do you recall at the April 30th, 2015
17 meeting, Mrs. Helms stating about her complaints about shift
18 scheduling?

19 A I don't recall a whole lot more than the reason for the
20 termination itself.

21 That stands out as it was a year ago. My memory is
22 specifically geared towards the fact that I understand this is
23 about her termination.

24 And my remembrance is based on the fact that her
25 termination was involving a discriminatory act based on race.

1 I can't say confidently that I remember much more than
2 that.

3 Q Do you recall if Mr. Mitchell came late to this meeting?

4 A He would not have come late. Not that I remember.

5 Q Do you recall Mr. Mitchell leaving the meeting early?

6 A Can you be more specific?

7 Q Well --

8 A It wasn't a set time period. So I don't know what you
9 mean by leaving early.

10 Q Do you recall Mr. Mitchell leaving a discussion on April
11 30th, 2015 --

12 A No, I don't --

13 Q -- before --

14 A -- remember him leaving early.

15 JUDGE CARISSIMI: Wait for the question, Mr. Henry.
16 Please let him finish.

17 THE WITNESS: Sorry.

18 Q Before you and Mrs. Helms and Mrs. Mitchell stopped their
19 conversation?

20 A I do not recall.

21 MR. FAYE: Your Honor, may I have one minute more,
22 please?

23 JUDGE CARISSIMI: Off the record.

24 (Whereupon, a brief recess was taken)

25 JUDGE CARISSIMI: Okay.

1 BY MR. FAYE:

2 Q I have a few more questions, sir.

3 A Okay.

4 Q Is it correct that you brought Mrs. Helms to the April
5 30th, 2015 meeting under some sort of rouse?

6 A I'm sorry? Did you say rouse?

7 Q Yes.

8 A What do you mean by that?

9 Q I thought you used that term.

10 A Rouse?

11 Q Yes, no?

12 JUDGE CARISSIMI: No, the witness has not used that
13 term.

14 Q No, okay. I strike the question. During the --

15 JUDGE CARISSIMI: Do you have anything further, Mr.
16 Faye?

17 MR. FAYE: I have just a couple of questions, Your
18 Honor.

19 Q After Mrs. Helms was fired, did you have a conversation
20 with bartender Sarah Clark about the firing of Mrs. Helms?

21 A I do not recall. I wish I could add some more color.
22 It's been a year. I don't recall.

23 Q By any chance, sir, do you recall telling Sarah Clark,
24 after Mrs. Helms was fired that the Mitchell's had lied to Mrs.
25 Helms, that they had heard the complaints of her and Sarah

1 Clark on audio equipment and you and Mrs. Clark talked about
2 concerns of Mrs. Clark's employment?

3 MR. SCHADLER: Objection, Your Honor. Compound
4 question. Asked and answered. He doesn't recall and
5 relevancy.

6 MR. FAYE: Well, I didn't he ask the question before
7 but --

8 JUDGE CARISSIMI: I think it's relevant. I'm going
9 to let Counsel ask the question, but it is a compound question.

10 MR. FAYE: I'll break it up.

11 JUDGE CARISSIMI: It's a very long question. You're
12 going to have to break it up.

13 MR. FAYE: Will do so.

14 JUDGE CARISSIMI: All right.

15 BY MR. FAYE:

16 Q Do you recall after Mrs. Helms was fired, how the
17 conversation with Ms. Clark regarding the Mitchell's claim of
18 using audio equipment which picked up complaints of the
19 bartenders?

20 A I do not.

21 Q Do you after Mrs. Helms was fired, Ms. Clark expressing
22 concerns to you that the employer would fire her because of her
23 complaints as well about shift schedules?

24 A Could you repeat that again?

25 Q Could you recall, after Mrs. Helms was fired, Ms. Clark

1 ever came to you that she was concerned that she would be fired
2 too for complaining about her work schedules?

3 A I do not recall.

4 Q Did Ms. Clark speak to you to the best of your memory, if
5 you can recall about Mrs. Helm's discharge?

6 A I do not recall.

7 Q Do you recall talking about the contents of the April 30th,
8 2015 meeting with Ms. Clark?

9 A I do not recall, no.

10 Q Do you recall in April 2015, having a conversation with
11 Mrs. Helms and Chris Healey in the upstairs bar area about
12 shift schedules?

13 A Not specifically, no.

14 Q Do you recall in April 2015, Chris Healey in the presence
15 of Mrs. Helms expressing his worries about his shift schedules
16 in view of recent hiring?

17 A No. I do not recall. I do not recall.

18 Q Do you recall in April 2015, in the upstairs bar area,
19 Mrs. Helms in the presence of Chris Healey complaining to you
20 or expressing her concerns about shift schedules?

21 A I do not recall.

22 Q Do you recall Mrs. Helms in the presence of Chris Healey
23 expressing concerns to you in April 2015, whether the new hires
24 of bartenders would affect her shift schedules?

25 A I do not recall. As I told you before --

1 JUDGE CARISSIMI: No, you answered the question, sir.

2 THE WITNESS: Okay. That's fine.

3 MR. FAYE: Thank you.

4 JUDGE CARISSIMI: No further questions, sir?

5 MR. FAYE: None.

6 JUDGE CARISSIMI: Very good. Is there any redirect?

7 MR. SCHADLER: No, Your Honor, thank you.

8 JUDGE CARISSIMI: No questions?

9 MR. SCHADLER: No, Your Honor, I said no, I'm sorry,
10 I didn't speak loud enough. I said, No, Your Honor, thank you.

11 JUDGE CARISSIMI: Okay. Very good.

12 MR. SCHADLER: My apologies, Your Honor. As I said
13 it I kind of had a little cough in my throat, so my apologies.

14 JUDGE CARISSIMI: Okay. Very good, I didn't hear
15 you. That's my fault. All right. Sir, you're excused as a
16 witness. You may step down.

17 MR. SCHADLER: May the witness be released from his
18 subpoena?

19 JUDGE CARISSIMI: And you're released from your
20 subpoena.

21 MR. SCHADLER: Thank you.

22 THE WITNESS: Thank you very much.

23 MR. SCHADLER: My gratitude.

24 JUDGE CARISSIMI: Let's go off the record.

25 (Whereupon, a brief recess was taken)

1 JUDGE CARISSIMI: Do you have any further witnesses?

2 MR. SCHADLER: Your Honor, I ask for one moment with
3 Counsel. I just want to admit a document.

4 JUDGE CARISSIMI: Off the record.

5 (Whereupon, a brief recess was taken)

6 JUDGE CARISSIMI: Mr. Schadler, does the Respondent
7 have any further witnesses to call?

8 MR. SCHADLER: No, Your Honor, the Respondent has no
9 further witnesses to call.

10 I do not know if we were on the record when I insured
11 that all of our exhibits were moved in. I would do so now at
12 this time, if we had not.

13 JUDGE CARISSIMI: All the Respondent Exhibits, 1, 2,
14 3, and 4, have been introduced.

15 MR. SCHADLER: Thank you, Your Honor, I appreciate
16 that. With that, we have no further induction of --

17 JUDGE CARISSIMI: Respondent rests?

18 MR. SCHADLER: Yes, Your Honor, that is correct.

19 JUDGE CARISSIMI: Does General Counsel have any
20 rebuttal witnesses?

21 MR. FAYE: No, Your Honor.

22 JUDGE CARISSIMI: Well, in that case the evidentiary
23 portion of the hearing is closed.

24 I will prepare and file with the Board my decision in
25 this proceeding.

1 A copy will be served on each of the parties. You're
2 reminded to refer to the Board's rules and regulations for
3 information regarding the filing of briefs and propose findings
4 for my consideration.

5 In regarding procedures before the Board after the
6 issuance of the Judge's decision.

7 Since the General Counsel is the proponent of the
8 complaint, I request that the General Counsel set forth the
9 recommended order and notice for my consideration.

10 Respondents I take their position to be that there is
11 no violation of the Act, but you're free to address any
12 remedial issues in your brief if you choose to do so.

13 MR. SCHADLER: That is our position in this, Your
14 Honor.

15 JUDGE CARISSIMI: Now that the evidence is in, the
16 parties have a better chance to assess your chances regarding
17 the outcome of the issues.

18 They should weigh carefully whether or not an
19 amicable settlement might offer a more satisfactory solution to
20 this issue than a decision.

21 Settlement may be arranged now at any time before I
22 issue my decision.

23 I will allow until April 28th, 2016 from the close of
24 the trial today for the filing of briefs and any proposed
25 findings and conclusions.

1 Briefs should be filed directly with the Judges
2 Division in Washington, D.C.

3 Any request for extension of time for the filing of
4 briefs, must be made in writing to the chief administrative law
5 judge in Washington, D.C. and served on the other parties.

6 The positions of the other parties regarding the
7 extension should be obtained and set forth in the request.

8 It's a policy of the Division of Judges to grant
9 discretionary extensions only when they are fairly justified.
10 Request for extensions of time must contain specific reasons
11 and show that the requesting party cannot reasonably meet the
12 current deadline.

13 There being nothing further, the trial is now closed
14 and we are off the record.

15 (Whereupon, at 3:33 p.m. the hearing in the above-entitled
16 matter was concluded.)

17

C E R T I F I C A T E

This is to certify that the attached proceedings done before
the NATIONAL LABOR RELATIONS BOARD REGION 4

In the Matter of:

Mid-Atlantic Restaurant Group,
LLC, D/B/A Kelly's Tap Room

.
Employer,
And

Robin C. Helms, An Individual
Charging Party,

Case No.: 03-CA-162385

Date: Thursday, March 24th, 2016

Place: National Labor Relations Board, Region 4, 615 Chestnut
Street, 7th Floor, Philadelphia, PA, in Courtroom 3.

Were held as therein appears, and that this is the original
transcript thereof for the files of the Board

Official Reporter

BURKE COURT REPORTING, LLC
1044 Route 23 North, Suite 316
Wayne, New Jersey 07470
(973) 692-0660

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

MID-ATLANTIC RESTAURANT GROUP LLC
d/b/a KELLY'S TAP ROOM

and

ROBIN C. HELMS, an Individual

Case 04-CA-162385

INDEX AND DESCRIPTION OF FORMAL DOCUMENTS

- | | |
|---------------------------------|--|
| General Counsel's Exhibit No. 1 | (a) Original Charge 04-CA-162385 filed 10/21/2015 |
| | (b) Affidavit of Service of 1(a) dated 10/22/2015 |
| | (c) Complaint and Notice of Hearing dated 12/17/2015 |
| | (d) Affidavit of Service of 1(c) dated 12/17/2015 |
| | (e) Answer to 1(d) received 12/29/2015 |

GCI ✓
EXHIBIT NO. RECEIVED REJECTED
04-CA-162385
CASE NO. CASE NAME KELLY'S
3/23/16
NO. OF PAGES DATE REPORTER JS

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 4

MID-ATLANTIC RESTAURANT GROUP
LLC d/b/a KELLY'S TAP ROOM

and

Case 04-CA-162385

ROBIN C. HELMS, an Individual

ANSWER AND AFFIRMATIVE DEFENSES

1. It is admitted that the charge was filed by Ms. Helms and that a copy of the charge was served on Respondent. It is denied that the charge is valid in that neither Ms. Helms nor the Board has offered any evidence to support the charge.

2.

(a). Admitted.

(b). Admitted.

(c). The averments of this Paragraph are denied as a legal conclusion.

3. Admitted in part and denied in part. The averments as to whether the individuals named fit within the statutory definitions stated is a legal conclusion, which is denied. It is admitted that the individuals named held the positions listed at the times relevant to this case.

4.

(a). Denied. The averments of this paragraph are denied as stated. There is no credible evidence that Robin Helms openly complained about these matters much less that there was any merit to such complaints. It is further denied that other unnamed employees of Respondent complained of such matters. Furthermore, it is impossible for Respondent to specifically answer vague, non-specific averments about unnamed employees.

(b). Denied. It is denied that Respondent discharged Robin C. Helms. Rather, Ms. Helms expressed her extreme dissatisfaction with her job when called to discuss her recent performance and ultimately decided to voluntarily separate from Respondent.

(c). Denied. The averments of this paragraph are denied as a legal conclusion and factually absurd. The end of Ms. Helms' employment with Respondent was her decision and furthermore based on performance issues. It was certainly not to discourage non-existent protected activities with other unnamed and unknown "other employees." Any such connection is entirely fiction and created by Ms. Helms as a money grab, which for reasons entirely unknown to Respondent, the Board has gone along with.

5. Denied. The averments of this paragraph are denied as a legal conclusion and factually absurd. It is unfathomable that the Complaint charges interference with concerted activities and has failed to identify a single employee, other than Ms. Helms whose credibility is compromised, who allegedly engaged in such activities.

6. Denied. The averments of this paragraph are denied as a legal conclusion and it presupposes that Respondent engaged in any illegal activity, which Respondent absolutely has not.

AFFIRMATIVE DEFENSES

7. Respondent hereby incorporates the above paragraphs as if fully set forth herein.

8. For a separate and distinct defense, Respondent asserts that Ms. Helms' claims are barred by the applicable statute of limitations in that the acts complained of occurred more than 6 months before the Ms. Helms' filing of the charge.

9. For a separate and distinct defense, Respondent alleges that Respondent's actions were committed in good faith and were a bona fide exercise of Respondent's legal rights.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 4

MID-ATLANTIC RESTAURANT GROUP LLC
D/B/ A KELLY'S TAPROOM

and

Case 04-CA-162385

ROBIN C. HELMS, an Individual

AFFIDAVIT OF SERVICE OF: COMPLAINT AND NOTICE OF HEARING

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on December 17, 2015, I served the above-entitled document(s) by **certified or regular mail**, as noted below, upon the following persons, addressed to them at the following addresses:

Gene Mitchell
Mid-Atlantic Restaurant Group-Kelly's
Taproom
623 Overhill Road
Ardmore, PA 19003

**CERTIFIED MAIL, RETURN RECEIPT
REQUESTED**

Nathan Schadler, Esquire
Kent Conway, Esquire
Conway Schadler, LLC
1795 W Township Line Rd
Blue Bell, PA 19422-3583

REGULAR MAIL

Robin C. Helms
72 N Sycamore Ave
Clifton Heights, PA 19018-1401

CERTIFIED MAIL

December 17, 2015

Date

Diane Alessandrini
Name



Signature

General Counsel Exhibit 1(D)

7013 2630 0001 5902 8520

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

John C. Helms

Postage \$
 Certified Fee \$
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees \$

Re: 4-CA-162385
Kelly's Tag Room

RAS

PS Form 380b, August 2006 See Reverse for Instructions

7013 2630 0001 5902 8537

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

John C. Helms

Postage \$
 Certified Fee \$
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees \$

Re: 4-CA-162385
Kelly's Tag Room

RAS

PS Form 380b, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: <i>Gene Mitchell</i> <i>Kelly's Tag Room</i> <i>4-CA-162385</i></p> <p><i>RAS</i></p> <p>2. Article No. <i>7013 2630 0001 5902 8537</i></p>		<p>A. Received by (Please Print Clearly) _____ B. Date of Delivery _____</p> <p>C. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: _____</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 4

MID-ATLANTIC RESTAURANT GROUP
LLC d/b/a KELLY'S TAP ROOM

and

Case 04-CA-162385

ROBIN C. HELMS, an Individual

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by Robin C. Helms, an individual. It is issued pursuant to Section 10(b) of the National Labor Relations Act (the Act), 29 U.S.C. § 151 *et seq.*, and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board) and alleges that Mid-Atlantic Restaurant Group LLC d/b/a Kelly's Tap Room (Respondent) has violated the Act as described below:

1. The charge in this proceeding was filed by Robin L. Helms on October 21, 2015, and a copy was served on Respondent by first class mail on October 22, 2015.

2. (a) At all material times, Respondent, a Pennsylvania limited liability company, has operated a restaurant (the Restaurant) in Bryn Mawr, Pennsylvania.

(b) During the past year, Respondent, in conducting its business operations described above in subparagraph (a), received gross revenues in excess of \$500,000 and purchased and received at the Restaurant goods valued in excess of \$5000 directly from points outside the Commonwealth of Pennsylvania.

(c) At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

3. At all material times, the following individuals held the positions set forth below opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act:

Eugene Mitchell		Owner/Manager
Angelia Mitchell	-	Owner/Accountant
Ryan Henry	-	Manager

4. (a) In March and April, 2015, Respondent's employees, including Robin C. Helms, openly complained about shift schedules and the loss of pay resulting from the malfunctioning of Respondent's computer system.

General Counsel Exhibit 1(c)

(b) On or about April 30, 2015, Respondent discharged its employee Robin C. Helms.

(c) Respondent engaged in the conduct described above in subparagraph (b) because Robin C. Helms, and other employees engaged in the conduct described above in subparagraph (a), and in order to discourage its employees from engaging in protected, concerted activities.

5. By the conduct described above in paragraphs 4(b) and 4(c), Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

6. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

WHEREFORE, as part of the remedy for the unfair labor practices alleged above in paragraphs 4 and 5, the General Counsel seeks an order requiring that Respondent reimburse Robin C. Helms for all search-for-work and work-related expenses regardless of whether he received interim earnings in excess of these expenses, or at all, during any given quarter, or during the overall backpay period; and the General Counsel seeks all other relief as may be just and proper to remedy the unfair labor practices alleged herein.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an Answer to the Complaint. The Answer must be received by this office on or before December 31, 2015 or postmarked on or before December 30, 2015. Respondent should file an original and four copies of the Answer with this office and serve a copy of the answer on each of the other parties.

An Answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlrb.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the Answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an Answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the Answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an Answer to a Complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3)

business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The Answer may not be filed by facsimile transmission. If no Answer is filed, or if an Answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the Complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE that on March 23, 2016 at 10:00 a.m., in a hearing room of the National Labor Relations Board, Region 4, 615 Chestnut Street, 7th Floor, Philadelphia, Pennsylvania, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this Complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Signed at Philadelphia, Pennsylvania this 17th day of December, 2015.



HAROLD A. MAIER

Acting Regional Director, Region 4
National Labor Relations Board



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 4
615 Chestnut St Ste 710
Philadelphia, PA 19106-4413

Agency Website: www.nlr.gov
Telephone: (215)597-7601
Fax: (215)597-7658



Download
NLRB
Mobile App

October 22, 2015

GENE MITCHELL
MID-ATLANTIC RESTAURANT GROUP
KELLY'S TAPROOM
1107 LANCASTER AVE
BRYN MAWR, PA 19010-2707

Re: Mid-Atlantic Restaurant Group- Kelly's
Taproom
Case 04-CA-162385

Dear Mr. Mitchell:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Christy Bergstresser whose telephone number is (215)597-4310. If this Board agent is not available, you may contact Supervisory Examiner CARA L. FIES-KELLER whose telephone number is (215)597-7636.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly. **Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate.**

General Counsel Exhibit 116

Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.


We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlrb.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



DENNIS P. WALSH
Regional Director

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**MID-ATLANTIC RESTAURANT GROUP-
KELLY'S TAPROOM**

Charged Party

and

ROBIN C. HELMS

Charging Party

Case 04-CA-162385

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on October 22, 2015, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

GENE MITCHELL
MID-ATLANTIC RESTAURANT GROUP
KELLY'S TAPROOM
1107 LANCASTER AVE
BRYN MAWR, PA 19010-2707

October 22, 2015

Date

Patricia Kraus
Designated Agent of NLRB

Name

/s/ Patricia Kraus

Signature

INTERNET
 FORM NLRB-501
 (2-00)

UNITED STATES OF AMERICA
 NATIONAL LABOR RELATIONS BOARD
 CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3612

DO NOT WRITE IN THIS SPACE

Case	Date Filed
04-CA-162385	10-21-15

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Mid-Atlantic Restaurant Group - Kelly's Taproom		b. Tel. No. 610 203 2674
d. Address (Street, city, state, and ZIP code) 1107 Lancaster Ave Bryn Mawr, Pa 19010		c. Cell No.
e. Employer Representative Gene Mitchell		f. Fax No.
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant		g. e-Mail genemitchell13@gmail.com
j. Identify principal product or service Food / Alcohol		h. Number of workers employed 20?
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (1a) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On, or about, April 29th 2015 I was terminated from my position at Kelly's Taproom. The cause claimed I was complaining to my coworkers regarding working conditions.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Robin C. Helms

4a. Address (Street and number, city, state, and ZIP code) 72 N. Sycamore Avenue Cotton Heights Pa 19018	4b. Tel. No.
	4c. Cell No. 215 626 2036
	4d. Fax No.
	4e. e-Mail robincatt@yahoo.com

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By **Robin C. Helms**
 (Signature of representative or person making charge)

Robin C. Helms
 (Print/Type name and title or office, if any)

Tel. No. 215 626 2036
Office, if any, Cell No.
Fax No.
e-Mail robincatt@yahoo.com

Address **72 N. Sycamore Ave. Cotton Heights Pa 19018** **10/21/15**
 (date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

General Counsel Exhibit **1(A)**

----- Forwarded Message -----

From: Gene Mitchell <genemitchell13@gmail.com>
To: Michael Bevevino <mjbevevino@gmail.com>; Sarah Clark <clarksn148@yahoo.com>; Robin <robincatt@yahoo.com>; Kathy Kerner <tinydancer013@yahoo.com>; Kris Ale House <Lilmami1105@gmail.com>
Sent: Sunday, February 15, 2015 7:50 AM
Subject: Fwd: Kelly's Bartender 2/14

Ladies and Mike

Please see below.

You can certainly choose who to serve at your discretion but we cant have interactions like the one described below. It will do more damage than good and generally reverberates through the community. There are some really good days ahead of us with the basketball team doing well and spring around the corner... I think.

I know these kids can be unbearable, frustrating and rude to say the least. Be patient and please do not lash out. Take a break if you need to decompress.

Gene

----- Forwarded message -----

From: Michael Dobranski <mdobrans@villanova.edu>
Date: Sun, Feb 15, 2015 at 1:56 AM
Subject: Kelly's Bartender 2/14
To: "info@kellystaproom.com" <info@kellystaproom.com>

602
EXHIBIT NO. RECEIVED REJECTED
04-CA-162335
CASE NO. CASE NAME Kelly's
NO. OF PAGES 3/23/16
DATE REPORTER JS

Hello,

I hope this message reaches someone who can help me. This was the first email I could find on your website.

I am a frequent customer, on both weekend nights and lunch hours during the week. Normally, I have a great time whenever I am at Kelly's. On this particular night though, I felt slighted and offended by the treatment I received.

I arrived at Kelly's at 11:30pm after a wonderful Valentines Dinner with my girlfriend. The music was

loud and I was having a great time, as usual. Around 1:15am, though, I was told by a blonde bartender (I did not catch her name) that I would not be served. With money in my hand she responded "you don't tip well enough, I work for tips, fuck you." I was very upset because out of the 4 drinks I had previously purchased, I had tipped twice. I don't have the money to tip every time, but tip every other to make sure the bartenders get their pay.

As I walked to another bartender, I saw the blonde woman point to me specifically, and tell the other 2 bartenders not to serve me.

I am not sure why I was treated in this manner, as I tipped that night and have always tipped when at your establishment. I'm wondering if that particular bartender served me the 2 times I didn't tip tonight, and reacted poorly. Regardless, I was surprised that the bar was refusing my business, seeing as I've been a customer for a long time.

I'm concerned primarily that I'll be treated this way in future visits to Kelly's, which will force me to take my business elsewhere. I hope that's not the case.

Thank you for listening, and stay warm,

Michael Dobranski

--
Best Regards,

Gene Mitchell

Table of Contents

Employee Handbook Acknowledgement Form	2
Mission Statement	3
Standards of Conduct	3
Absenteeism and Punctuality	3
Scheduling	4
Hours of Work	5
Recording Time	5
Breaks	6
Personal Telephone Usage	6
Personal Hygiene and Appearance	6
Employee Meetings	8
Orientation	8
Tobacco Usage	8
Employee Relations	9
Violence and Weapons Policy	9
Harassment	10
Neatness of Work Area	13
Safety	14
Substance Abuse and Alcohol Policy	15
Problem Resolution and Complaints	17
Disciplinary Guidelines	18
Employee Discounts	19
Suggestions	19
Searches	19
Solicitations and Contributions	20
Security	20
Work Performance	20
Confidentiality of Company Information	20

603
 EXHIBIT NO. 603 RECEIVED ☒ REJECTED ☐
 CASE NO. 04-LA-145385 CASE NAME Kelly's
 NO. OF PAGES 3123 DATE 1/16 REPORTER JS

GENERAL COUNSEL'S EXHIBIT 3

548a

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I have received a copy of the Employee Handbook and acknowledge that I reviewed, read, and comprehended the contents. I understand that this handbook is an overview and summary of general policies and procedures in force at the time the Employee Handbook was written.

I also understand:

That the Employee Handbook's date of 08/2009 supercedes any other Handbooks (or policies) I may have received during my employment;

That the policies and guidelines in this handbook are always being reviewed by management and as such will be enforced at all times;

That Kelly's Taproom (Kelly's) and Flip & Bailey's Bar and Grill (Flip & Bailey's) and Garrett Hill Alehouse (GH Alehouse) reserves the right to modify, change, revise, or rescind any policy or benefit at any time and in their sole discretion, and;

That I should always check with my manager for the most current versions or revisions of the Employee Handbook.

I also agree that both Kelly's and Flip & Bailey's and I, at any time, with or without cause, may terminate my employment. This employment-at-will relationship will be in effect throughout my employment with Kelly's, Flip & Baileys, Garrett Hill Alehouse unless as provided in a separate employment contract executed by me and the general manager of Kelly's and/or Flip & Bailey's and/or Garrett Hill Alehouse.

Employee Name (please print)

Date

Employee Signature

Date

Mission Statement of Kelly's Taproom Flip & Bailey's Bar and Grill and Garrett Hill Alehouse

Kelly's Taproom and Flip & Bailey's Bar and Grill and Garrett Hill Alehouse aim to be premier food and beverage establishments on the Mainline through distinction and patronage by the local and university communities. Our mission is implemented by offering a friendly inviting atmosphere for our patrons coupled with hospitable staff and excellent food and drink. We seek a balanced approach toward people, profits and quality, to cultivate customer loyalty with the above-mentioned dining and bar experience, to maintain a high standard of ethics, excellence, cleanliness and integrity, to attract and develop motivated and responsible employees, allowing them opportunities for growth and providing them with a responsive and congenial environment to enhance long term profit.

As a part of the Kelly's and Flip & Bailey's and Garrett Hill Alehouse team, the success of each of our establishments depends on each member performing in cooperation. Together as one team we can deliver high quality food at reasonable prices and act 'guest first.' With great service we can engage each guest; we employee the best and care about them. We want to be the best!

Standards of Conduct

With regard to the above mission statement, the employees of Kelly's and Flip & Bailey's and Garrett Hill Alehouse are held to the highest standards of conduct. We believe that our staff are not just employees but also representatives of our establishments. All employees, both at the 'front' and the 'back' of the restaurants should

- Continuously strive to live out the mission statement to the best of their ability
- Remember that our customers always come first and are the reason we are in business
- Remember that their personal actions both while working and also while off work influence people's perceptions of our establishments
- Participate in helping us implement our mission statement through suggestions, feedback, and comments.

The standards of conduct outlined below in the Employee Handbook are for the benefit of our employees to facilitate a congenial working environment, to clearly establish rules and regulations, and to ensure the safety, privacy, and integrity of all our employees.

Absenteeism and Punctuality

Staffing for each shift is a timely and critical process and proper staffing is essential for the shift to run smoothly and the restaurant to function. When an employee is absent

from work it is a disruption for management and staff alike. If you are unable to report to work for your shift, you must notify the manager.

The policy for absence from work is as follows:

1. Absence from work should only be for legitimate and necessary reasons
2. When an absence from work is to be taken employees should report this to the manager the night before or 4 hours before the beginning of their shift
3. If requested by the management, employees should be prepared to provide a doctors note for a medical absence
4. Excessive absenteeism may lead to disciplinary action up to and including termination of employment
5. Any employee who fails to show up for work and does not contact the manager within 2 days should consider their job voluntarily abandoned
6. In cases of severe or inclement weather, please call the restaurant to confirm business hours and operation and to notify management of delays or difficulties in commuting to work

Likewise, all employees are expected to arrive for their shifts on time. Shifts begin when the employee is changed into their uniform and on the floor ready to begin working. Consult the schedule for the exact beginning times of each shift. When employees arrive for work they should:

1. Always enter through the side or back doors of the restaurant, especially during peak operating hours
2. Arrive on the floor in uniform and not in street clothing
3. Have all personal possessions (handbags, bookbags, cell phones etc.) locked away and not brought onto the floor. For specific information on personal phone call policy, see below
4. Sign into the POS system at the beginning of the shift
5. Begin procedures outlined and typical for the beginning of each shift

Punctuality is essential for each shift to begin properly in addition to ensuring a smooth transition between shifts. Chronic tardiness is detrimental to management and other employees and as such is grounds for disciplinary action.

Scheduling

As employees of both Kelly's and Flip & Bailey's and Garrett Hill Alehouse, you may be required to work a variety of days in either restaurant or bar, depending on business needs. Labor need naturally rises on the weekends when business is at a peak and can also include certain holidays (Mothers Day, Fathers Day, New Years Eve, etc.)

All employees must complete an employee availability form when hired and whenever availability changes in any way. All availability forms must be completed 2 weeks prior to their effective date to allow management adequate time to reschedule employee shifts.

1. Scheduling is determined and written from Monday to Sunday on a weekly basis and will be clearly posted on the Employee notice board no later than 3 PM every Wednesday. Scheduling of all employees is determined by business needs and individual employee strength.
2. Any and all requests for days off from your normal availability requires 2 weeks advance notice and must be submitted to the manager in writing.
3. If a day off is needed after the schedule has been written, employees are required to find their own replacements of equal and capable ability currently employed at Kelly's or Flip & Bailey's and must be reported to and approved by the manager.

Hours of Work

Employee shifts for both the front and back of the restaurants are regulated by business need and seasonal volume. Please always refer to the schedule posted to make sure you are aware of the hours you are working each day.

Recording Time (Clocking in)

1. Employees may enter through the front door before business hours. If you arrive at work during business hours, enter through the back or side doors.
2. If employees would like to eat before their scheduled shift begins, you are permitted in the restaurant in uniform up to one (1) hour before your shift.
3. You must be at your designated work area at your scheduled time. To facilitate this, you may punch in up to five (5) minutes before your assigned starting time. The manager on duty must authorize a starting time that is earlier than this.
4. You are considered late for work if you fail to clock in on or within 5 minutes of your scheduled start time. If you determine that you will be late, you must call the manager on duty to report your delay.
5. All employees who are paid by the hour must clock in and out on the computer system. No hourly employee is permitted to work if he/she is not logged in on the system. It is the employee's responsibility to log in and out to maintain accurate records.

6. All employees who are paid by the hour are given an ID number upon hire for entering their time on the time clock. Employees are not permitted to use another employee's ID number for any reason. Employee ID numbers are issued by management and may be changed by the management's sole discretion.

Break Periods

1. Break periods must not exceed thirty (30) minutes in length.
2. All break periods must be approved by management and are subject to change by management as business needs require.
3. Breaks are to be taken in a pre-assigned area away from guests.
4. Employee meals are to be taken during break periods only, and are limited to one meal per shift.
5. Employees are required to ensure break areas are kept clean in addition to washing their hands after taking their break.

Personal Telephone Calls

Cell phone use including texting by employees is limited to personal break periods only. No employee at any time should use their cell phone while working without prior permission of the management. Exceptions to this rule include cases of emergency or necessity as determined by the management.

Personal Appearance and Hygiene

All employees are required to arrive for their shifts with a groomed and hygienic personal appearance. This includes:

1. Hair trimmed and/or neatly presented as conducive to the work environment.
2. Uniform tops and bottoms clean, pressed, and presentable.
3. No dirt underneath fingernails.
4. Gentlemen shaved or facial hair neatly trimmed and presentable.
5. Slip resistant shoes with black pants or with khaki pants. Shoes must clean and presentable. No open toe or open healed shoes, flip flops, sandals, may be worn by front of restaurant staff.
6. Aprons cleaned and properly fitting.
7. Employees must be in full appropriate uniform dress when clocking in for work.
8. All work attire must be laundered and presentable.

Please refer to the chart below for specifications regarding dress codes.

<p>Male Servers: official issued shirt bearing restaurant's name tucked into pants. Black dress pants or brown khaki-colored slacks, no outside pockets. Plain belt matching pants. Socks same color or matching pants. Slip resistant shoes with black pants or with khaki pants</p>	<p>Female Servers: Official issued shirt bearing restaurant's name tucked into pants, if applicable. Black dress pants or khaki colored pants OR black or khaki dress skirt no shorter than 1 inch above the knee. Matching plain dress belt and slip resistant shoes.. Small earrings are permitted. No rings or wrist bracelets.</p>
<p>Male Bartenders: Same as above except for Thursday through Saturday night bartenders who may wear the official issued restaurant shirt OR a black collared long sleeve dress shirt with black pants and slip resistant shoes, black belt.</p>	<p>Female Bartenders: Same as above except for Thursday through Saturday night bartenders who may wear the official issued restaurant shirt OR a black short/long sleeve dress shirt that covers the stomach with black dress pants or skirt with black shoes and socks. Small earrings are permitted. No rings or wrist bracelets.</p>
<p>Host/Hostess: Long or short sleeved polo shirt or collared dress shirt tucked into pants as applicable. Color choices include Hunter Green, Navy Blue, Burgundy, Black or White. Black or Khaki colored dress pants or skirt meeting same specifications as above. Belts, shoes, socks must meet same specifications as above. Small earrings are permitted, no rings or wrist bracelets.</p>	<p>Security: Official issued black shirt with black dress pants, no side pockets. Black shoes with socks. In the winter season black boots may be worn with a black overcoat, black hat and black gloves for security stationed at the door.</p>
<p>Dish Person: Kelly's or Flip & Bailey's or Garrett Hill Alehouse issued t-shirt or other clean and presentable t-shirt or shirt tucked into pants, jeans or heavy duty casual-style pants, black or blue. Plain belt, slip resistant shoes, official apron.</p>	<p>Cook/Chef: T-shirt with jeans or heavy duty casual style pants. Chef's jacket and pants. Slip resistant shoes, socks, and plain belt.</p>
<p>Male Manager/Supervisor: Collared dress shirt with tie, dress pants, brown or black matching plain belt, slip resistant shoes and matching dress socks.</p>	<p>Female Manager/Supervisor: Collared dress shirt, dress pants or skirt, slip resistant shoes, socks.</p>

Employees are also reminded that frequent hand washing and sanitizing is necessary throughout their shifts and at times mandatory, especially after:

1. Using or cleaning the restroom facilities
2. Consumption of food or handling of raw food
3. Sneezing, coughing, or when hands have come into contact with any mucus membranes
4. After smoking or handling dirty ash trays

Employee Meetings

At the beginning of each shift employees may be required to attend shift meetings. The purpose of these meetings includes creating awareness of daily specials, changes or updates to the menu, organizing and delegating shift stations, duties, and responsibilities, and on-going job training and development.

Occasionally staff meetings will be held on certain days for training, development, certification, safety awareness and other instruction. The date and time of these meetings will be posted in advance and are mandatory. If an employee is unable to attend for any reason, he or she must notify the manager as soon as possible to arrange a time to review the material presented. Legitimate excuses for an absence during an employee meeting shall be determined by the manager, and failure to attend is grounds for disciplinary action up to and including termination of employment.

Orientation

New employees are required to attend orientation given by either the Head Server or Manager. The purpose of orientation is to acquaint new employees with policies and procedures, ensure proper job training and ensure satisfactory progress. Orientation is an on-going process and reaches completion upon a successful 40 day probationary period. For more information on this please refer to the Work Performance section.

Tobacco Use

Smoking is only permitted outside each restaurant in designated areas. Smoking is limited to personal breaks only and these rules also apply to all forms of smokeless tobacco. After engaging in any type of tobacco use employees must properly wash their hands before returning to work.

Employee Relations

Employees of Kelly's and Flip & Bailey's and Garrett Hill Alehouse are expected to maintain high standards of professionalism and ethics in their personal relationships with other employees and/or managers in their workplace.

1. Since there is no specific policy that forbids employees to date each other, we ask that you carefully consider the consequences of doing so, as this may result in turmoil and strife in the workplace.
2. In keeping with our commitment to operate our restaurants with high employee morale and high standards of ethics and professionalism, the management reserves the right to take necessary measures when personal relationships have a negative impact on business operations or personal performance.

Violence and Weapons Policy

We are committed to maintaining a safe and congenial work environment for all employees. There is a zero tolerance policy toward violence and weapons. Employees are encouraged to review the following policy to ensure a safe workplace and reduce violence in all forms. Any employee found possessing any form of weapon, legal or illegal, is liable for immediate dismissal and in certain cases, the police may be contacted. Likewise, violence and threats of violence by any employee towards other employees, management, and patrons is grounds for immediate dismissal and possible arrest and prosecution. Prohibited behavior in breach of our violence and weapons policy includes:

1. Causing physical injury to another person
2. Making threatening remarks
3. Aggressive or hostile behavior that creates a reasonable fear of injury to other persons or subjects them to emotional stress
4. Intentionally damaging employee or company property
5. Being in possession of a weapon while on company property

Employees are encouraged to notify management if at any time they feel threatened or know of any threats made by any employees or guests, or if appropriate, notify security immediately. Reports may also be made anonymously and all reports will be investigated. Incidents requiring confidentiality will be handled accordingly, and all

parties involved will be able to discuss the results of management's investigation, decision, and corrective action.

Harassment

Both Kelly's and Flip & Bailey's and Garrett Hill Alehouse strive to offer an open and friendly work environment in which all persons are treated with respect and dignity. Each person has the right to work in a professional atmosphere that promotes equal opportunity and prohibits unlawful harassment. The goal of our harassment policy is to prevent harassment from occurring, and to provide for procedures for implementing this policy. The owners and management of Kelly's and Flip & Bailey's and Garrett Hill Alehouse will not tolerate harassment of its employees by anyone under its employment or control.

1. To ensure such an environment, Kelly's and Flip & Bailey's and Garrett Hill Alehouse will not tolerate verbal or physical conduct by an employee or non-employee who harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile work environment. Each supervisor has a responsibility to maintain a workplace free of such conduct, since such conduct constitutes unlawful harassment.
2. Unlawful harassment is a form of discrimination prohibited by the Pennsylvania Human Relations Act, 42 P.S. § 951, et seq.; Title VII of the Civil Rights Act, 42 U.S.C. § 2000e et seq; and the Americans With Disabilities Act, 42 U.S.C. § 12101 et seq. The term (unlawful harassment) includes, but is not limited to verbal, graphic, or physical conduct relating to an individual's race, color, religion, ancestry, age (40 and above), sex, national origin, handicap or disability. Special attention is called to the prohibition of sexual harassment.
3. Unlawful harassment is a form of employee misconduct that undermines the integrity of the employment relationship and will not be tolerated. This behavior is unacceptable in the workplace itself and in work-related settings as well. Employees must be allowed to work in an environment free from harassment. Consequently, employees who violate this policy will be subject to disciplinary action, up to and including termination.
4. The policy for harassment, including sexual harassment, will be disseminated to all employees and it will be displayed prominently at the place of employment. All supervisors are responsible for knowing of its existence and substance and are responsible for its implementation. The policy covers all individuals in the workplace.

Definition of Harassment:

Harassment includes, but is not limited to slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, religion, age, gender, national origin, disability or other immutable characteristic protected by local, state, or federal law. Ethnic harassment includes the use of derogatory words or phrases characterizing a given racial or ethnic group.

Sexual harassment includes, but is not limited to:

Unwelcome sexual advances, requests for sexual favors in exchange for favorable treatment or continued employment or any employment benefit, and all other verbal or physical conduct of a sexual or offensive nature, especially where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
2. Submission to or rejection of conduct is used as the basis for decisions affecting an individual's employment;
3. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment.
4. Offensive comments, jokes, innuendoes, epithets, derogatory or obscene comments, slurs, or sexual invitations, obscene comments or gestures or verbal abuse, graphic or suggestive language about an individual's dress or body, and all other sexually oriented or offensive statements.
5. Visual conduct such as derogatory or sexually oriented posters, photographs, cartoons, drawings or gestures or other displays in the workplace of a sexually suggestive or offensive nature.
6. Any and all other words or conduct which have the effect of unreasonably interfering with an individual's performance or creating a hostile or offensive work environment.

The procedure for registering complaints regarding harassment in all its forms is as follows:

1. The policy encourages individuals who believe they are being harassed to firmly and promptly notify the offender that his/her behavior is unwelcome.
2. All complaints of unlawful harassment, as defined in this Policy, will be investigated promptly and in an impartial and confidential manner by or under the direction of the Harassment Investigator, Gene Mitchell or Angie Mitchells.
3. Privacy safeguards will be applied in handling all complaints. No person named in a complaint of unlawful harassment shall be involved in conducting or supervising the investigation. Depending upon the circumstances and the nature of a particular complaint of unlawful harassment, the follow-up investigation may be conducted by a designated manager or supervisor who would be acting under the direction of the investigator.

Procedures for reporting harassment are as follows:

1. Any administrator, supervisor, or employee who believes that the actions or words of an administrator, supervisor, employee, or non-employee constitute unlawful harassment, has a responsibility to report or file a complaint to the appropriate administrative supervisor or to the investigator within sixty (60) days of the occurrence of the allegation, so the charges can be investigated in a timely fashion. Formal complaints must be in writing.
2. Employees who want to make the investigator aware of a potential unlawful harassment situation, but not file a formal complaint, should be aware that these allegations may be investigated.
3. It shall be the responsibility of the investigator to promptly and thoroughly investigate any and all unlawful harassment complaints received or referred by other employees.
4. In the case of unlawful harassment complaints made by staff members to a supervisor, the supervisor may, at the complainant's request, attempt to resolve the problem informally. If an informal resolution satisfactory to the complainant is reached, no further investigation or action by the Harassment Investigator is required.
5. All other complaints not formally resolved to the complainant's satisfaction will be referred to the investigator who will initiate an investigation that may include, but not be limited to, the following:
 - Interview of the complaining party;
 - Interview of the accused;
 - Interview of any other person with personal knowledge of the allegation of the complaint;
 - Compliance with all state and federal mandates, statutes and laws.

Both the complaining party and the person accused of unlawful harassment will be given every opportunity to express themselves during the investigation. They may, if so desired, approach the investigator either during the investigation or after they receive the notice of the findings. No attorneys are to be present.

1. All employees should be aware that the privacy of the complaining party and the person accused of unlawful harassment will be respected by Kelly's and Flip & Bailey's and the information kept as confidential as possible, consistent with the Employer's legal obligations, the necessity to investigate allegations, and taking disciplinary action.
2. Investigative files will be kept separate from the regular personnel files.
3. In all cases, the complaining party and the person accused will be advised of the findings and conclusions.
4. In all cases investigated by the investigator, the results of the investigation shall be reported in writing. Such report should include a conclusion and summary of

facts upon which such conclusion is based, and a determination of remediation, if appropriate.

5. If the investigator concludes that unlawful harassment has occurred, he or she shall determine the appropriate remediation and/or discipline, including without limitation dismissal from employment.
6. If the investigator concludes that no unlawful harassment has occurred, the parties shall be so notified. Under no circumstances shall any record of a complaint which is found to be without basis be released to any person other than the complainant, and the accused, without consent of the accused, except by an order from a court of competent jurisdiction.
7. If the investigation is inconclusive, the investigator shall so state in the report. Neither the charging party nor the person accused will receive a copy of the final report; however, the findings will be reviewed at the request of either party.
8. Either party may, if so desired, have his/her comments filed along with the final report.
9. If the investigator finds on behalf of the complaining party, then a disposition of the matter will be included with the investigator's final report. Retaliation taken against individuals who bring unlawful harassment charges, or individuals who assist in investigating such charges, is strictly prohibited.
10. Unlawful harassment charges which are, or have been, in litigation, are beyond the scope of the investigator.

Any form of unlawful harassment is strictly forbidden under this Policy.

Employees who violate this Policy will be subject to disciplinary action, including without limitation, termination of employment.

If the investigator concludes that the accused is not guilty of unlawful harassment, and the complaint was fraudulently made or lodged in bad faith, then the investigator may determine the appropriate discipline, without limitation, including dismissal of the complainant from employment, subject to any limitations of law. In addition, if the investigator concludes that the accused retaliated against the complainant in any way because of the complaint, then the investigator may determine the appropriate discipline, including without limitation, dismissal of the accused from employment, subject to limitations of law.

Neatness of Work

For the benefit of all employees, front and back of restaurant, as well as to ensure sanitized, clean working conditions and proper hygiene in addition to maintaining the restaurant's image, it is imperative that all employees keep a neat work station throughout the course of the day. The following guidelines should be adhered to in order to ensure that the above criteria are met:

1. All items should be placed back where they came from in an orderly, organized fashion
2. All efforts should be made to avoid leaving items or food/beverage on counters, table tops, and especially by computers
3. Items in bulk should remain organized and orderly and secured
4. Garbage should be disposed of properly at all times
5. Work areas must frequently be sanitized and cleaned as needed
6. Equipment used should be placed back after being washed

Safety

The safety of our staff, guests, and all persons at Kelly's and Flip & Bailey's and Garrett Hill Alehouse is a top priority. We strive to create a safe and healthy workplace free of hazards, but safety starts with our employees. We ask you to think of safety first before acting or reacting.

All employees are required to comply with all aspects of Safety Guidelines outlined in this manual. In addition, all employees are required to participate in safety training and are encouraged to play an active role in safety meetings. If injured, you are required to report injuries, seek treatment, and comply with specific medical recommendations in accordance with Pennsylvania worker's compensation laws.

The following rules were developed to provide general guidelines for all employees to perform their jobs safely. It is each employee's responsibility to follow these rules and to encourage other employees to follow them as well. Willful violation of safety rules will result in disciplinary action including, without limitation, termination of employment. These rules are subject to change and will be reviewed periodically.

1. If you are unsure how to safely perform any task, ask a manager for direction
2. If you feel that a task is beyond your physical capabilities, ask for help.
3. Use common sense when performing any job.
4. Know the location of first aid kits, and notify management if any item needs replenishing or refilling.
5. Practice good housekeeping. All work areas must be neat, clean, and organized. For more on this, please refer to the **Neatness of Work Area** section in this manual.
6. Know the location of the following:
 - Main water shut-off valve
 - Main gas shut-off valve
 - Main electrical breakers
 - Hand-held fire extinguishers
 - Fire alarm pull stations
7. Do not physically block fire extinguishers and fire alarm pull stations.
8. Immediately report any unsafe act or condition to a manager on duty whether or not an injury has occurred.
9. Report any injury, whether to oneself, another employee, or guest, to a manager on duty regardless of how minor.

10. Do not run any equipment unless appropriate safety guards are in place and operational and you have been trained and certified in the proper operation of the equipment.
11. Employees must wear appropriate personal protective equipment whenever required. These include, without limitation, rubber gloves, splash-resistant goggles, hot mitts, cut-resistant gloves, protective aprons, etc.
12. Never distract the attention of another worker. Horseplay is a serious violation and will not be tolerated.
13. Never run.
14. Be cautious in congested areas and blind corners.
15. Keep the floor clean, dry, unobstructed, and free of any trip and slip hazards. Always use "wet floor caution signs" whenever there is a spill or wet floor slip hazard.
16. Follow all security guidelines outlined in the section entitled **Security** found in this manual.
17. Help the management team in its enforcement of safety rules. Report weaknesses in safety rules, make suggestions for improvement, and teach fellow employees the safe way to perform a job.
18. Keep all chemicals labeled, stored away from food, and covered when not in use.
19. Keep all storage areas clean, organized, and safe. Do not store unapproved chemicals or flammable liquids.
20. Keep all exits free from obstructions.
21. Keep all coolers clean, organized, and safe. Do not block cooler aisle ways. Do not store glass containers in coolers.
22. All products in coolers must be covered unless they are being cooled on a cooling shelf or a top shelf.
23. Keep electrical rooms and equipment clear and uncluttered.
24. All garbage bags from restrooms must remain in the container and be taken to the dumpster or outside to be discarded. At no time should the bag be removed from the container and carried by the employee. This policy prevents the employee from being exposed from any hazardous material that may have been discarded in a rest room garbage container.

Substance Abuse and Alcohol Policy

The purpose of this section is to make employees aware of Kelly's and Flip & Bailey's and Garrett Hill Alehouse position on the use and/or abuse of alcohol and controlled/illegal substances. The policy is in place for the protection of all our employees, guests, and persons involved in business dealings within our restaurants.

For purposes of definition, **Alcohol** refers to any alcoholic beverage (beer, wine, liquor, etc.) or over-the-counter or prescription medication containing alcohol, the consumption of which may affect the behavior, performance and actions of the

employee to the extent that he or she may pose a threat to the safety of himself/herself or others, and/or manifests itself with a blood alcohol level of .03 or greater.

Controlled substances and/or illegal drugs means any controlled substance or drug, the sale, possession or consumption of which is illegal. The term includes prescription drugs not legally obtained and prescription drugs not being used in the manner, combination or quantity prescribed. It also includes any drug or substance listed under the controlled substance Drug Device and Cosmetic Act 64. Drugs specifically includes, without limitation, beinamphetamines, marijuana, opiates, cocaine, and phencyclidine (PCP).

Under the influence means, for the purpose of this Policy, the person in questions is affected by a drug or alcohol, or the combination of a drug and alcohol, in any detectable manner. A determination of whether an employee is under the influence of drugs or alcohol will be based on specific contemporaneous, articulable observations concerning the appearance, behavior, speech and/or body odors of the employee.

Alcohol Prohibitions

All employees are strictly prohibited from:

1. Reporting to or remaining at work when the employee's BAC indicates a 0.03 or greater alcohol concentration.
2. Employees are prohibited from using alcohol while on their shifts, on break time or on restaurant property. Exception to this rule is detailed in the **Benefits** section of this manual, which provides that employees are allowed 1 drink or 20 minutes in the restaurant, whichever shall end first, upon signing out and changing out of their uniforms at the end of their shift.
3. If an employee tests positive for alcohol during their shift and management does not elect to terminate such employee's employment, management reserves the right to implement indefinite suspension until enrollment in an alcohol abuse treatment programs.
4. Employees may not refuse to submit to any alcohol test required under this policy.
5. Employees are prohibited from engaging in the unlawful or unauthorized possession, manufacturing, distribution or sale of alcohol on restaurant property or while engaged in any activity related to restaurant business.

Drug Prohibitions:

All employees are strictly prohibited from:

1. Illegal or illicit drug use while on or off their shifts.
2. Employees are prohibited from reporting for their shifts, or remaining on their shifts, when the employee uses any drugs at any time, on or off the job, except when the use is pursuant to a medical physician's

orders and the doctor has advised the employee that the substance does not adversely affect the employee's ability to safely perform his/her duties. The employee must also alert the manager to the use of any prescription medications by the employee that may impair performance and/or pose a safety hazard.

3. Prescription medications that cause an employee to be under the influence as defined above, and which are not taken according to specific instructions of the employee's prescribing physician, will result in a violation of this Policy.
4. If an employee tests positive for drugs during their shift and management does not elect to terminate such employee's employment, management reserves the right to implement indefinite suspension until enrollment in a drug abuse treatment programs.
5. Refusal to submit to a required drug test is prohibited.
6. Employees are prohibited from engaging in the unlawful or unauthorized manufacturing, distribution, sale or possession of drugs on restaurant property or while engaged in official restaurant activities.

Drug and Alcohol Testing

As required by this policy, employees may be subject to drug and/or alcohol testing in the following situations:

- Pre-employment Testing (Drugs only; Hair Testing only; Management Personnel Only)
- Reasonable Suspicion Testing (All employees)
- Return-to-Duty Testing (All employees)
- Follow-up Testing (All employees)
- Random spot-testing (All employees)

Failure to submit to a drug test will result in immediate termination.

Problem Resolution and Complaints

We strive to create a congenial work environment where our employees enjoy working with guests and each other. However, as conflicts do arise, it is highly recommended to seek the assistance of a manager in helping resolve such conflicts.

1. If at any time you encounter a problem or conflict with another employee, guest, or staff member, you are encouraged to notify a manager to help assist in resolution.
2. At no time should an employee offer any concession or discounts to a guest without prior permission of management.

3. Conflicts between employees will be resolved in an impartial, unbiased manner with each party allowed an opportunity to explain the conflict in their terms.
4. Problems or conflicts not in breach of any safety, security, or other policies outlined in this Policy will not result in disciplinary action.
5. Complaints will be handled in such a way that they enhance working conditions and provide resolutions to employee problems.
6. The above procedures shall be used without fear of retaliation or employment security.
7. You are encouraged to discuss with management any and all problems that you may have in connection with your work. Remember that many times management may be unaware of certain problems, and unless you call them to his or her attention, they may go unnoticed and uncorrected.
8. If the situation is not resolved, the employee may contact Gene Mitchell or Angie Mitchell.

In any and all cases where a conflict of interest is apparent, management will excuse him or herself from mediation and intervention and present the situation to another supervisor or in extreme cases, to Gene Mitchell or Angie Mitchell.

Disciplinary Guidelines

Failure to comply with any rules, guidelines, or procedures in this Policy will result in disciplinary action by the management. The following is a list of behaviors that may not be included in other sections of this handbook. These behaviors, if they occur, will result in disciplinary action by the management. This list is not exhaustive of the types of behavior that may result in disciplinary action, but rather is provided as a guide to employees to identify areas of concern to management. Management retains the right to discipline, including dismissal from employment, for any behavior, whether related to job performance or otherwise, which adversely affects the reputation or business activities of the restaurants:

1. Criticizing, condemning, or complaining in a manner that affects employee morale
2. Insubordination - refusal to accept a proper job as instructed by your supervisor or failure to carry out directives of management
3. Violation of Safety or Security Policies
4. Violation of Sanitation Policies
5. Falsification of company records (this includes applications, time clock edits, and work records)
6. Violation of Unlawful Harassment Policy

In certain cases depending on the nature, level, and type of infraction, immediate termination or indefinite suspension may be levied against an employee. The following policy serves as the guideline for discipline procedures for most other infractions.

1. First offense-A verbal warning is given to the employee/employees involved in the serious infraction of a policy or guideline
2. Second offense-A written warning is given to the employee/employees involved in the serious infraction of a policy or guideline
3. Third offense-Suspension of the employee/employees involved in the serious infraction of a policy or guideline
4. Fourth offense-Termination from employment of the employee/employees involved in the serious infraction of a policy or guideline.

It should be noted that the above policy is collective and refers to any offense committed and not in isolation.

Employee Discounts

1. All employees of Kelly's and Flip & Bailey's and Garrett Hill Alehouse restaurants are allowed a 50% discount on all meals served at either restaurant. This discount applies individually to the items the employee orders and not to a collective group.
2. At the end of each shift, all employees are allowed one drink free of charge. Employees may avail themselves of this benefit after they have signed out and all tasks and responsibilities have been completed and the employee has changed out of uniform. Subsequently, the employee may remain in the restaurant at the end of their shift for their drink or for 20 minutes, whichever passes first.

Suggestions

In our efforts to produce the best possible working environment for our employees in addition to the best dining experience for our guests, we realize that our staff plays an essential role. Issues or observations may arise which you feel are pertinent or beneficial and as such employees are encouraged to offer suggestions whenever you feel they may be of use to management and staff. Suggestions may be submitted informally or in written form signed or left anonymous. All suggestions will be looked into and resulting actions, if any, will be posted as well. Employees are encouraged to openly discuss all concerns, thoughts, and suggestions with management without fear of retribution or disciplinary action.

Searches

If at any time a reasonable suspicion should arise that any employee is carrying or storing on their person or their personal property within the restaurant prohibited items, contraband, or stolen goods, such employee will be confronted and offered an opportunity to refute any such suspicions. If management still has strong reason to believe a policy violation has occurred, and if the items in question concern illegal

objects or potential stolen goods, the proper authorities may be called to initiate a search of said employee in accordance with local, state, and federal laws.

Solicitations and Contributions

At no time should any employee engage in any form of third party solicitation or contribution with other employees or guests. All requests for solicitation for any reason whatsoever must first be approved by the management.

Security

Restaurant security falls directly in line with the safety of our employees and guests. All employees should be aware of emergency exits in addition to normal entrances and exits and in cases of emergency assist guests in exiting the building.

The security employed by Kelly's and Flip & Baileys and Garrett Hill Alehouse primary responsibility is to ensure the safety of our guests and workers and to ensure the restaurants and bar are in accordance with state laws concerning proof of age. **However you must remember that in the end it is your responsibility to ensure anyone you serve alcohol to is of legal age to drink and you will be held liable if you serve an underage guest.** If in doubt regarding an identification card consult a manager or refuse service.

For insurance purposes, all incidents requiring a guest's removal from the premise are to be handled by the security team working that shift. If an incident occurs when there is no security present, employees should contact management to alert them to the situation.

Work Performance/Performance Reviews

On occasion, employees may undergo performance reviews with a manager to gauge and assess the work performance of each employee. These informal meetings do not serve as a contract for work. The purpose of these meetings is to identify and recognize strengths, areas in need of improvement and cooperatively form strategies for further development.

The evaluation itself will follow a written guideline via a standardized form used for all employees and to which each employee is allowed access to at any time (See the preceding section on personnel files). The findings of each review may determine

promotion in addition to other factors. All new employees are required to undergo a performance review at the end of their forty (40) day probationary period.

Confidentiality of Company Information

Many of you will come in contact with proprietary and confidential information. It is incumbent upon each of us to maintain strict confidence with such information entrusted to us. Competitors or other groups may attempt to learn about matters, which could be used to the detriment of the restaurants and all employees. Releasing confidential information to unauthorized individuals will result in immediate termination.

From: Gene Mitchell <genemitchell13@gmail.com>
Subject: Fwd: Kelly's Bartender 2/14
Date: March 19, 2016 at 4:12 PM
To: Angela Mitchell <angie.mitchell1313@gmail.com>

----- Forwarded message -----

From: Gene Mitchell <genemitchell13@gmail.com>
Date: Sun, Feb 15, 2015 at 4:26 PM
Subject: Re: Kelly's Bartender 2/14
To: Sarah Clark <clarksn148@yahoo.com>

Sarah

Thank you for responding.

I am totally on your side and everyone that works with us. The intent on sending the email was not to call you out just to let everyone know how things reverberate on the smallest of issues.

You are all good with us.

When I am back would like to hear your side and if he was belligerent or cut off would be great to document. We always get hammered for VIP and never point out when folks are cut off.

Anyway, don't let this impact your day, at all. Let's make some money when we have the chance. You guys deserve it.

Best Regards

Gene Mitchell
Cell 610-203-2674

On Feb 15, 2015 10:13 AM, "Sarah Clark" <clarksn148@yahoo.com> wrote:

Hey Gene,

I wasn't planning on saying anything in response to this, but it kept eating me up, so I had to.

First of all, I'm sorry. I'm sure this is not the kind of email you like waking up to. I'm sorry that this interaction warranted such a lengthy email. All I want to say is that this guy's story does not match up with my side; I would never use the language "you don't tip well enough" and I only let the f-bombs fly out IF one of these kids gives me a reason to. Frankly, I'm too used to the stiffing to allow that kind of language to come out. (Do you know how many times a night I'd be saying that then??) I have a much different version of the story, and I know ultimately it doesn't matter, but I'm still sorry. I just wanted to let you know that the content in his email is NOT how it actually went down.

I love my job, and I wouldn't do anything to jeopardize my employment with you guys. I know the role that Kelly's has in the community and with VU, so I wouldn't do anything to tarnish that. I just wanted to take the blame for this but also let you know that his email is absolutely one-sided and heavily fabricated. Please let me know if you want to talk about it or anything at all. I'd be happy to give you my side of the story, and again, I know at this point it's irrelevant, but I felt compelled to highlight my experience. Again, I'm sorry!!

Thanks, Gene.
Sarah

GC4
IT NO. RECEIVED REJECTED
04-08-143883
CASE NAME Kelly's
3/23/16
PAGES DATE REPORTER JS

General Counsel Exhibit 4

Sent from my iPhone

On Feb 15, 2015, at 7:50 AM, Gene Mitchell <genemitchell13@gmail.com> wrote:

Ladies and Mike

Please see below.

You can certainly choose who to serve at your discretion but we cant have interactions like the one described below. It will do more damage than good and generally reverberates through the community. There are some really good days ahead of us with the basketball team doing well and spring around the corner... I think.

I know these kids can be unbearable, frustrating and rude to say the least. Be patient and please do not lash out. Take a break if you need to decompress.

Gene

----- Forwarded message -----

From: Michael Dobranski <mdobrans@villanova.edu>

Date: Sun, Feb 15, 2015 at 1:56 AM

Subject: Kelly's Bartender 2/14

To: "info@kellystaproom.com" <info@kellystaproom.com>

Hello,

I hope this message reaches someone who can help me. This was the first email I could find on your website.

I am a frequent customer, on both weekend nights and lunch hours during the week. Normally, I have a great time whenever I am at Kelly's. On this particular night though, I felt slighted and offended by the treatment I received.

I arrived at Kelly's at 11:30pm after a wonderful Valentines Dinner with my girlfriend. The music was loud and I was having a great time, as usual. Around 1:15am, though, I was told by a blonde bartender (I did not catch her name) that I would not be served. With money in my hand she responded "you don't tip well enough, I work for tips, fuck you." I was very upset because out of the 4 drinks I had previously purchased, I had tipped twice. I don't have the money to tip every time, but tip every other to make sure the bartenders get their pay.

As I walked to another bartender, I saw the blonde woman point to me specifically, and tell the other 2 bartenders not to serve me.

I am not sure why I was treated in this manner, as I tipped that night and have always tipped when at your establishment. I'm wondering if that particular bartender served me the 2 times I didn't tip tonight, and reacted poorly. Regardless, I was surprised that the bar was refusing my business, seeing as I've been a customer for a long time.

I'm concerned primarily that I'll be treated this way in future visits to Kelly's, which will force me to take my business elsewhere. I hope that's not the case.

Thank you for listening, and stay warm,

From: Gene Mitchell <genemitchell13@gmail.com>
Subject: Fwd: Kelly's Bartender 2/14
Date: March 19, 2016 at 4:12 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>

----- Forwarded message -----

From: **Gene Mitchell** <genemitchell13@gmail.com>
Date: Sun, Feb 15, 2015 at 7:41 AM
Subject: Re: Kelly's Bartender 2/14
To: Michael Dobranski <mdobrans@villanova.edu>
Cc: "info@kellystaproom.com" <info@kellystaproom.com>

Dear Michael

Thank you for your letter.

There are many instances with patrons who do not tip. I will tell you that regardless of the tip the bartenders are trained and instructed to treat each patron with dignity and respect. This issue noted in your email will not be taken lightly and will be addressed today.

I apologize for this terrible experience and it will be rectified.

Sincerely,

Gene Mitchell
Kelly's Tap Room
Villanova '89

On Sun, Feb 15, 2015 at 1:56 AM, Michael Dobranski <mdobrans@villanova.edu> wrote:
Hello,

I hope this message reaches someone who can help me. This was the first email I could find on your website.

I am a frequent customer, on both weekend nights and lunch hours during the week. Normally, I have a great time whenever I am at Kelly's. On this particular night though, I felt slighted and offended by the treatment I received.

I arrived at Kelly's at 11:30pm after a wonderful Valentines Dinner with my girlfriend. The music was loud and I was having a great time, as usual. Around 1:15am, though, I was told by a blonde bartender (I did not catch her name) that I would not be served. With money in my hand she responded "you don't tip well enough, I work for tips, fuck you." I was very upset because out of the 4 drinks I had previously purchased, I had tipped twice. I don't have the money to tip every time, but tip every other to make sure the bartenders get their pay.

As I walked to another bartender, I saw the blonde woman point to me specifically, and tell the other 2 bartenders not to serve me.

I am not sure why I was treated in this manner, as I tipped that night and have always tipped when at your establishment. I'm wondering if that particular bartender served me the 2 times I didn't tip tonight, and reacted poorly. Regardless, I was surprised that the bar was refusing my business, seeing as I've been a customer for a long time.

I'm concerned primarily that I'll be treated this way in future visits to Kelly's, which will force me to take my business elsewhere. I hope that's not the case.

Thank you for listening, and stay warm,

Michael Dobranski

Best Regards,

Gene Mitchell

Best Regards,

Gene Mitchell

Kelly's/Flip & Bailey's/Alehouse

GC5

Employee Information

Personal Information

Full Name: Helms Robin C
Last First M.I.
 Address: 72 N. Sycamore Ae
Street Address (Must be local)
Clifton Heights Pa 19018
City State ZIP Code
 Home Phone: (610) 626 2036 Alternate Phone: ()
 E-mail Address: robin.catt@yahoo.com
 Social Security Number or Government ID: 168 62 0737
 Birth Date: 02/19/81 Marital Status: married
 Spouse's Name: Wayne Helms
 Spouse's Employer: self - elite Training Spouse's Work Phone: (610) 203 1409

Job Information

Title: Bartender Employee ID: _____
 Supervisor: Kristin Lang Restaurant: _____
 Work Location: Kellys E-mail Address: _____
 Work Phone: () Cell Phone: ()
 Start Date: 4/4/14 Rate: \$ 2.83/hr

Emergency Contact Information

Full Name: Helms Wayne Robin K E
Last First M.I.
 Address: 72 N. Sycamore
Street Address
Clifton Heights Pa 19018
City State ZIP Code
 Primary Phone: (610) 203 1409 Alternate Phone: ()
 Relationship: husband

REQUIRED ATTACHMENTS WITHOUT THESE YOU ARE NOT ELIGIBLE FOR EMPLOYMENT. IF YOU DON'T HAVE THEM....DON'T COME IN.

- ☐ COMPLETED W-4
- ☐ DIRECT DEPOSIT FORM OR BANK LETTER
- ☐ VOIDED CHECK
- ☐ COPY OF SOCIAL SECURITY CARD AND COPY OF VALID FORM OF PHOTO IDENTIFICATION

GC5 ✓
 EXHIBIT NO. _____ RECEIVED _____ REJECTED _____
 CASE NO. 00-CP-102385 CASE NAME Kelly's
 NO. OF PAGES 3/23/16 DATE 3/23/16 REPORTED 55
 573a

666

Mid-Atlantic Restaurant Group- Kelly's
Taproom
Case 04-CA-162385

Hayward (04)

Confidential Witness Affidavit

I Chelsea Hayward, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at 2644 Daphne Road #1, Philadelphia, PA 19131; My cell phone number (including area code) is 267-231-4184; I was employed by Kelly's Taproom in April 2015.

I worked as a bartender at Kelly's for a very short amount of time in April 2015. When I began working there, the employees were very mean because they felt they were going to lose hours. From the moment that I got there, I got the complete cold shoulder from every employee. So, I continued to look for other work, and as soon as found something else that I was happy with, I let them know that I would not stay.

Angie, the owner, was very sweet, and very concerned to know what was going on in the bar. She was very apologetic. She asked was there anything that she could have done to change my mind because she felt as though I would be a good employee and be able to turn things around.

One night I just started working at Kelly's and a Caucasian girl was training me. A pretty black patron sat at the bar; the trainer stated "I am not going to wait on her." She stated I don't care, those girls come in all of the time and they never tip. She stated, I'm not waiting on that black girl, she doesn't tip. It was very obvious that she was being racist against the patron. I

Privacy Act Statement


The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website, www.nlrb.gov. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

(One)

666
VISITING NO. RECEIVED REJECTED
04-CA-162385
CASE NO. CASE NAME Kelly's
3/23/16
NO. OF PAGES 35
DATE REPORTER JS

Case 04-CA-162385

came over to the patron, and was very nice to her and she over tipped me at the end of the night. I told Angie that I felt that she needed to get rid of her staff. I told Angie about the interaction where the trainer refused to serve the black patron, and I told her that that was a major concern for me and a reason for why I was leaving. We had a long conversation about the trainer, I told Angie that the trainer did not present herself cleanly and nicely. The trainer who refused to serve the customer was fired while I was still working at Kelly's. The trainer was very miserable to me and the other staff, she was the bad apple of the place. The trainer would bad-mouth the establishment and was completely miserable. The trainer was very territorial. After they fired the bartender who trained me, from that moment on the energy in the bar changed in a positive direction. Angie was very genuine. One of the bartenders, Kriss, was very nitpicky. Another female bartender and the bartender who trained me were always talking about me and whispering about me. Another male, Troy, bartender and I agreed that the staff was very unhappy. I can honestly say that I felt bad that I left, because Angie was such a sweet person. She apologized that I was treated poorly by the staff.

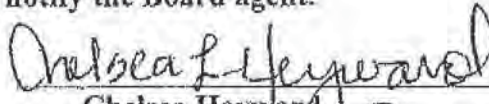

after giving this statement i recalled the trainers name was Robyn ^{12/1} 

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

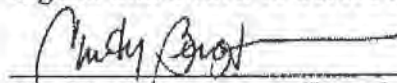
I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: 12/1/2015

Signature:


Chelsea Heyward
Heyward 

Signed and sworn to before me by telephone on



Christy Bergstresser, Board Agent, National Labor Relations Board



I remember the night Kough was terminated
I was told that she'd refused service and brought
a very negative ora. to the establishment and they
wanted to change that. It was common knowledge
being talked about. Can't recall specifics
I was surprised because it happened before a busy
shift.

CH 12/1

Mid-Atlantic Restaurant Group- Kelly's
Taproom
Case 04-CA-162385

Confidential Witness Affidavit

I, Gene Mitchell, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I am a managing member of Mid-Atlantic Restaurant Group, located

at 632 Overhill Rd., Ardmore PA 19003

My cell phone number (including area code) is

My e-mail address is

Case No. 04-CA-162385 Official Exhibit No. GC 7

Disposition: Identified ☒

Rejected ☐ Received ☐

IN THE MATTER OF:

Kelly's Tap
Date: 3/24/16 Witness: E. Mitchell Reporter: [Signature]

No. Pages: 6

- 1 Mid-Atlantic restaurant was established approximately 13 years ago. The bar Kelly's
- 2 Taproom falls under Mid-Atlantic. I am one of the owners of Mid-Atlantic, and have been in that
- 3 capacity for approximately 13 years. The bar has approximately 15 employees, about half are
- 4 bartenders. Kelly's has a general manager, who reports to Angie and also to me. The employees
- 5 report to the general manager. The manager at the time of Robin Helms' employment was Ryan
- 6 Henry. Manager Ryan left Kelly's towards the end of June to work at one of our other restaurant
- 7 as a co-manager, and left the company in approximately September. I travel often for business,
- 8 so when I am in town I frequently visit the bar, but if I am traveling I could go a month without
- 9 visiting the bar. I keep up to speed about the bar through emails with the Manager and through
- 10 some discussions with Angie.

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

Case 04-CA-162385

11/10/2015

1 The shift schedule for bartenders includes a morning shift of 10 am to 7pm and a night
2 shift which is staggered: depending on the day of the week the first night shift bartender starts 5
3 or 7pm, the next comes in at 8 or 9pm, and then the last bartender is scheduled to start at 10pm.
4 The manager drafts the schedule and sends to Angie for review, she does the party planning so
5 she makes sure there is the right amount of staff for events. After the schedule is written, they
6 can switch as long as they have a cover. Generally, individuals work the same shifts each week
7 but it is not set in stone. The goal is to get the schedule to employees on Wednesday, but
8 sometimes not until Friday, and the week starts on Monday. If the employee wants to take off
9 before the schedule is set, the employee emails any of us (Angie, myself or the manager) and we
10 will not place the employee on the schedule. If the employee needs to take off after the shifts
11 have been scheduled, the employee finds a replacement and asks the managers approval to
12 ensure an appropriate switch.

13 Generally speaking, Thursday, Friday and Saturday are the preferred shifts. Employees
14 want to start early because the tips are broken out on a pro-rata system: the tips are pooled and
15 broken out in a pro-rata basis for how many hours the bartender worked. Therefore, the early
16 bartender would make more in tips. People will occasionally express concern about which shifts
17 they are assigned. However, the people who are there the longest usually get the better shifts. Or,
18 prime shifts can be used to balance, for example if someone helps out with a Monday morning
19 shift the manager might give them a prime weekend shift. Employees will generally first bring
20 their concern to Ryan, and then come to me. We generally then discuss with Ryan and have a
21 discuss where changes can be made if any.

22 If a customer has a complaint or comment about the bar, the receipts have an internet site
23 for customers to express their comment.

Case 04-CA-162385

11/10/2015

1 Although frowned upon, I believe that some bartenders will give better service to
2 customers who tip better. Over the years we have had issues where students have complained
3 that they do not have proper service, the bartenders generally indicate that they will not serve
4 those who do not tip, and then I correct them that that isn't appropriate. During Robin's tenure,
5 the only time this issue came up was the issue with Chelsea, which will be discussed below. I do
6 not recall any other employees failing to serve those who do not tip during the time-frame that
7 Robin was employed. However, within the last 18 months, I recall there being a complaint that
8 someone was not being served, and I specifically remember that the bartender said the customer
9 didn't tip. I recall telling that bartender that you cannot discriminate like that. I do not remember
10 if there was any discipline. Generally, we just want individuals to correct their behavior if it is a
11 first time offense, unless they are belligerent about the situation.

12 Generally, the employee discipline policy is to warn employees of their negative actions
13 so that they can correct it before we take the next step of termination. We have terminated
14 employees within the last year. Very close to the time Robin left, another employee Jill was
15 terminated for lack of hospitality. Ryan had informed us that there were problems with Jill, we
16 did not specifically discuss that he was going to fire her before he did so. The manager has the
17 full capacity to hire and fire. There are probably other examples, but I cannot recall specifics at
18 this time.

19 Robin was terminated on April 30, 2015. Robin was a bartender, she was part time,
20 meaning she worked less than 40 hours. Generally, Robin worked on Thursday, Friday and
21 Saturday, based on her availability. I have not spoken with Robin since she left. Going into the
22 April 30th meeting, I did not think that we were going to let Robin go. Additionally, we were

Case 04-CA-162385

11/10/2015

1 short staffed after because it was graduation weekend. Again, as this was a long time ago my
2 recollection is not with 100% certainty.

3 On the day that Robin was terminated she was asked to come into the office. In the
4 meeting was myself, Angie and Ryan were in the meeting. Robin was standing during the
5 meeting. I believe I stated Robin, we have numerous complaints from your coworkers and
6 complaints from servers. What is going on? You seem unhappy. At that point she stated that she
7 was unhappy, she couldn't take the kids anymore. We also told her that employees are not
8 willing to work on the upstairs bar with you, you are miserable- what is going on? She stated that
9 you are correct, I should have left weeks ago, she stated "I am burnt out." I did not give her
10 specific names of employees who complained, nor did she ask. She did not ask any further
11 questions. I do not recall specifically saying the words "you are fired," it felt more like a mutual
12 understanding that the employment relationship was over. It was evident to me that we were
13 asking she already knew herself, that she was unhappy. She did not admit to the tipping issue. I
14 do not recall if I gave her any specifics about the tipping issue. I was in the entire meeting. I did
15 tell Robin that there were surveillance camera, and that we heard she was refusing service. The
16 reason was not to disclose Chelsea who preferred to stay anonymous. We have no capabilities in
17 our cameras.

18 Over a few week time span in April, prior to her termination, Robin's co-workers were
19 complaining to Ryan and asking to not be scheduled on the upstairs bar with her. The bartenders
20 did not think Robin was very nice to be around due to her general complains; I do not believe
21 there was a theme, but just complaining. I believe that the head bartender Mike Bevenino, who
22 has since left, said something to Ryan in March (or via someone else that was relayed to Ryan)

Case 04-CA-162385

11/10/2015

1 about Robin's negative attitude, which is the first time that I heard anything negative about
2 Robin.

3 The main reason that we met with Robin on April 30, was due to the issue with Chelsea.
4 Chelsea resigned and told Angie (who relayed the information to me) that Robin had refused to
5 serve a black patron because she was not a good tipper. Chelsea felt that Robin was branding the
6 individual based upon race, and she herself served the patron who tipped her well. The
7 underlying theme of the meeting was that Robin wasn't treating co-workers or patrons well.

8 I do not recall if any customers complained to me about Robin. I did not have any
9 meetings with Robin regarding her performance prior to April 30. I am aware that Ryan
10 addressed issues with her performance at least once, at this time I do not recall when that
11 discussion took place. I do not believe that there was a formal write-up.

12 Regarding her shifts, Robin was always asking for longer shifts, and I let Ryan know
13 about that. I know that Angie would give Robin party shifts when available. I do not know if her
14 shifts were changed. I do not recall any other employees ever telling me that Robin was
15 complaining about shifts to them; other than Ryan. Other employees likely complained about
16 their shifts to Ryan.

17 I do not specifically recall a computer malfunction in April 2015. Unfortunately,
18 there are often computer malfunctions. I do not recall any instances where Robin was involved in
19 working through a computer malfunction. If there were a malfunction, the employees would tell
20 Ryan, who would call Angie. There are computer issues all of the time, on average twice per
21 month.

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be

Case 04-CA-162385

11/10/2015

shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 6 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: November 10, 2015

Signature: 

Gene Mitchell

Signed and sworn to before me on

November 10, 2015 in Ardmore, PA.



Christy Bergstresser

Board Agent

National Labor Relations Board

KELLY'S SCHEDULE

Case: 16-4300

Document: 003111275264315

Page: 211

Date Filed: 08/25/2017

WEEK ENDING							5/3/15
							5/3/15
EVENTS	4/27/15	4/28/15	4/29/15	4/30/15	5/1/15	5/2/15	5/3/15
			Acoustic Happy Hour 4-6pm	Home Nova Lacrosse Sept 4:30-5:30pm Softball vs. Drexel @ 2:30 & 4:30pm	Nova Reading Day Keunion, 35 ppl, 3rd floor, private, menu, each bar 8pm	Finals May 2-8/11	NO FINALS ON SUNDAY
SPECIALS	5:00-12:00am Light Drafts 5:00-12:00am Light Drafts 5:00-12:00am Light Drafts	5:00-12:00am Light Drafts 5:00-12:00am Light Drafts 5:00-12:00am Light Drafts	5:00-12:00am Light Drafts 5:00-12:00am Light Drafts 5:00-12:00am Light Drafts	5:00-12:00am Light Drafts 5:00-12:00am Light Drafts 5:00-12:00am Light Drafts	5:00-12:00am Light Drafts 5:00-12:00am Light Drafts 5:00-12:00am Light Drafts	5:00-12:00am Light Drafts 5:00-12:00am Light Drafts 5:00-12:00am Light Drafts	5:00-12:00am Light Drafts 5:00-12:00am Light Drafts 5:00-12:00am Light Drafts
ALL DAY EVERYDAY	50 Coors Light BOTTLES & Drafts						
Happy Hour	M-F Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARBACK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris H. 10:30 - 7pm	Chris H. 10:30 - 7pm	KK - 10:30 - 7pm	Kris F. 10:30 - 7pm	Sarah 11 - 7pm	Chelsea 11 - 7pm	Robin 11 - 7pm
Down-AM Bar 2	Bill 10:30 - 7 (train)					Ryan 11-7 pm	
Up-AM Bar 1							
Down-PM Bar 1	Joe B. 7 - CI	Kris F. 7 - CI	Robin 7 - CI	Kris F. 7 - CI	Kris F. 7 - CI	Kris F. 5 - CI	Kris F. 7 - CI
Down-PM Bar 2		Joe B. 10 - CI	Bill 10 - CI (train)	Robin 5 - CI	Sarah 7 - CI	Robin 7 - CI	
Down-PM Bar 3				Troy 7 - CI	Robin 5 - CI PARTY UP	Bill 7 - CI up	
Up				Chelsea 9 - CI	Troy 9 - CI	Chris H. 9 - CI	
Up				Ryan 9 - CI up	Bill 9 - CI	Jon 9 - CI	
BARBACK				Bill 9-12 (train)	Marcus	Marcus	
Open Mgr	Chris	Chris F.	KK	Kris F.	Sarah	Chelsea	Robin
Close Mgr	Joe B.	Kris F.	Robin	Kris F.	Kris F.	Kris F.	Kris F.
Ryan Asst Mgr	OFF	4-12	2-10	6pm-2am	2-10	2-10	OFF
Late Night Manager				Bob 9 - CI	Bob 9 - CI	Bob 9 - CI	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-430)	Bartender	Bartender	Bartender	Bartender	Chris	Andrew	Melissa
AM Server 2 (11-430)						Natalia	
AM Server 3 (11-430)							
PM Server 1 (430-10)	Natalia	Caroline	Natalia	Chris (closer)	Gillian (closer)	Caroline	Gillian
PM Server 2 (430-10)	Andrew (train)	Andrew	Bill (train) 4:30-10	Gillian	Andrew	Natalia (closer)	
PM Server 2 (430-10)					Ryan	Gillian	
BUSSEY							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Paco San Juan	off	12 to 8	12 to 8	12 to 8:30	12 to 10-cl	12 to 10	off
Francisco Molina	11 to 8	11 to 5	off	off	11 to 5	11 to 10	11 to 10
Daniel	3 to 10-cl	5 to 10-cl	11 to 10-cl	11 to 10-cl	5 to 10	off	off
Ivan		Off	3 to 8	3 to 10	3 to 10	12 to 10-cl	11 to 10 (cook)
CLEANING	Cesar 830-11	Marina 830-11	Cesar 830-11	Cesar 830-11	830-11	Cesar 830-11	Marina 830-11
CLEANING	Case No.	Official Exhibit No.				830-11	830-11
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1	Off - Off - 10:30	Jayson	Joe	Mike	Mike	Steve	
Bouncer 2	Disposition:	Identified		Pat	Mall	Cory	
Bouncer 3	Rejected	Received		Joe	Joe	Jason H. (new)	
Bouncer 4							

IN THE MATTER OF:

Kelly's Tap
 Date: 3/24/16
 Witness: -
 Reporter: Max
 No. Pages: 1

GC X 8

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

4/28/14

[illegible]

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

9/26/14

EVENTS	9/22/14	9/23/14	9/24/14	9/25/14	9/26/14	9/27/14	9/28/14
SPECIALS	\$7.00 oz Coors Light Pilsners \$3 Credit 10 - 12am	Food (weekly) 3 Trays \$5 \$1 Coors Light Drafts & \$2 Well Drinks from 10-12am	Closed Door VIP Party (10pm-midnight)	\$5 Blue Mountain Squashiera revelation Adams craft all day wells 10pm-12am	\$3 Hanging Orbits and Bubbles \$2-50 Wells 10-12am	\$3 Coors Light Drafts and Bubbles \$2-50 Wells 10-12am	NEIGHBORHOOD VIB CLEANUP DAY 12pm Mexican - 30pm NFL TICKET
AUDAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
Happy Hour	M-F, Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY Down-AM Bar 1 Joe 11-7	TUESDAY Mike 11-7	WEDNESDAY KK 1050-7	THURSDAY Mike 11-7	FRIDAY Joe 11-7	SATURDAY Anthony 11-6pm	SUNDAY Anthony 11-6pm
Up-AM Bar 2							
Down-PM Bar 1	Joe 7-11	Mike 7-11	Joe 7-11	Mike 7-11	Mike 5-11	Mike 8-11	Chris 11-8pm
Down-PM Bar 2		Bar 7-11	Mike 7-11	Mike 7-11	Mike 7-11	Mike 7-11	Joe 8-11
Down-PM Bar 3							
Up-PM Bar 1							
Up-PM Bar 2							
BARBACK							
Open Mgr	Joe	Mike	KK	Mike	Joe	Anthony	Anthony
Line Mgr	Joe	Mike	Joe	Mike	Mike	Mike	Joe B.
Asst. Mgr	OFF	OFF	12-8pm	12-8pm	12-8pm	12-8pm	12-8pm
Late Night Manager							
SERVERS	MONDAY AM Server 1 11-430 Colin	TUESDAY Colin	WEDNESDAY Karin Back up	THURSDAY Colin	FRIDAY Chris	SATURDAY Melissa	SUNDAY Melissa
AM Server 2 11-430							
AM Server 3 11-430	Chris	Gilbert	Colin	Chris	Gilbert	Colin	Gilbert
PM Server 1 430-10		Justin	Ashton	Ashton	Justin	Justin	Justin
PM Server 2 430-10				Nicole	Ashton	Gilbert	
EXPEDITOR							
KITCHEN	MONDAY Pete Sch. Loan off	TUESDAY 12 to 830	WEDNESDAY 12 to 830	THURSDAY 12 to 830	FRIDAY 11 to 10	SATURDAY 11 to 10	SUNDAY off
Frontco Morning	11 to 10	11 to 10	11 to 10	11 to 10	11 to 9	11 to 9	12 to 10
Doner	12 to 13		11 to 10	12 to 10	3 to 10	3 to 10	1 to 8
Wen	off	3 to 10	12 to 10	3 to 10	12 to 10	12 to 10	1 to 8
CLEANING	Cesar 830-11	Melissa 830-11	Cesar 830-11	Cesar 830-11	Wen 830-11	Wen 830-11	Melissa (Clean & DWY)
CLEANING							
OTHER	MONDAY Bouncer 1 Mike	TUESDAY Joe	WEDNESDAY Mike	THURSDAY Joy	FRIDAY Pat D.	SATURDAY Pat D.	SUNDAY Tony
Bouncer 2		Joe	Tony	Mike	Pat	Pat	
Bouncer 3		John		Pat D.	Mike	TV	
Bouncer 4							

21

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

	10/6/14	10/7/14	10/8/14	10/9/14	10/10/14	10/11/14	10/12/14
EVENTS						Villanova Home Football Game 1pm	NFL Ticket Eagles vs Giants 830PM
SPECIALS	\$7.50 oz Coors Light Pilsners \$3 Firewell 10-12am	1800 Tuesday 3 Tacos \$5 \$1 Coors Light Drafts & \$2 Well Drinks from 10-12am	Closed Door VIP Party 10pm-midnight	\$3 blue moonbraguetalenta nederlandadam streets all day wells 10pm-12am	\$3 Yeungling Drafts and Bottles \$2.50 wells 10-12am	\$3 Coors Light Drafts and Bottles \$2.50 wells 10-12am	Bucket of 6 Coors Light Bottles for \$13 During all NFL games also
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
HAPPY HOUR	M-F Happy Hour 4-6 \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BAVARIANS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Joe 1030-7	Mike 11-7	KK-1030-7	Mike 11-7	Joe 11-7	Anthony 11-6pm	Anthony 11-6pm
Down-AM Bar 2							
Up-AM Bar 1							Chris 11-8pm
Down-PM Bar 1	Joe 7-11	Mike 7-11	Joe 8-7-11	Mike 7-11	Mike 5-11	Mike 6-11	Joe B. 6-11
Down-PM Bar 2		Anthony 7-11	Nicole 7-11	Rob 7-11	Sarah 7-11	Sarah 7-11	
Down-PM Bar 3				Joe 7-9-11	Rob 9-11	Mike 5-9-11	
UP-PM BAR 1				Mike 5-5-11	Kris 5-11	Rob 5-11	
UP-PM BAR 2				Sarah 9-11	KK-9-11	Joe 9-11	
BARBACK					Marcus 9-11	Marcus 9-11	
Open Mer	Joe	Mike	KK	Mike	Joe	Anthony	Anthony
Close Mer	Joe	Mike	Joe	Mike	Mike	Mike	Joe B.
Kristin CNF	11-3pm	11-3pm	12-8pm	12-8pm	12-8pm	12-8pm	OFF
Ryan Asst Mgr	11-6pm	OFF	4pm-12am	4pm-12am	4pm-12am	4pm-12am	OFF
Late Night Manager				Bob 9-11	Bob 9-11	Bob 9-11	OFF
SERVICES	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 111-430	Kristin back up	Ashoc	Kristin back up	Gillon	Chris	Meissa	Meissa
AM Server 2 111-430					Gillon	Chris	Gillon
PM Server 1 1430-101	Chris	Gillon	Ashoc	Chris	Gillon	Ryan	Gillon
PM Server 2 1430-101	Justin	Justin	Justin	Ashoc	Justin	Justin	Ashoc
EXPEDITOR				Nicole	Nicole	Gillon	
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juan	off	12 to 830	12 to 830	12 to 830	11 to 10	off	off
Francisco Moring	11 to 10	11 to 10	11 to 10	11 to 10	11 to 9	11 to 9	12 to 10
Daniel	12 to 10		12 to 10	3 to 10	3 to 10	3 to 10	off
Ivon	off	3 to 10	12 to 10	3 to 10	3 to 10	3 to 10	1-8
CLEANING	Cesar 830-11	Monica 830-11	Cesar 830-11	Cesar 830-11	Ivon 830-11	Cesar 830-11	Molina Clean & Dwl
CLEANING							
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Jay	Mike	Pat	Pat D.	Pat D.	
Bouncer 2			Tony	Mike	Mike	Brendan	
Bouncer 3				Pat D.	Berxton	TV	
Bouncer 4							

21

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

	10/13/14	10/14/14	10/15/14	10/16/14	10/17/14	10/18/14	10/19/14
EVENTS			MERION CC GUEST BARTEND EVENT & Quiz 6:30 - 9:30			Birthday party 30-40 ppl 3rd floor nonpvt 9PM	Birthday party 30-40 ppl 3rd floor nonpvt 8-10pm
SPECIALS	ST 80 oz Crown Light Pilsner 10-12am 13 Freeball 10-12am	Two Tuesday 3 Tacos \$5- \$5 Crown Light Drafts & \$2 Well Drinks from 10-12am	Closed! Door VIP Party 10pm-midnight	\$4 Blue Moon/Highball/Beer Mexican/San Adams Drafts all day wells 10pm-12am	\$3 Morning Drafts and Bites \$2.50 Wells 10-12am	\$5 Crown Light Drafts and Bites \$2.50 Wells 10-12am	Backed up Crown Light Bites for \$10 plus all NFL games \$150
ALL DAY EVERYDAY	M-F Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Joe 1030-7	Mike 11-7	KK-1030-6	Chris 11-7	Joe 11-7	Anthony 11-6pm	Anthony 11-6pm
Down-AM Bar 2			Kris Whitty from 11-6				
Up-AM Bar 1							
Down-PM Bar 1	Joe 7-11	Mike 7-11	KK-630-930 Party	Chris 7-11	Mike 6-11	KK 6-11	Joe F. 11-8pm
Down-PM Bar 2		Robin 7-11	Nicole back up 5hr	Joe F. 7-11	Sarah 7-11	Sarah 7-11	Joe B. 6-11
Down-PM Bar 3							
Up-PM Bar 1							
Up-PM Bar 2						Robin 5-11	Joe F. 5-11
3A BACK						Nicole 8-11	Robin 7-11
Open Mgr	Joe	Mike	KK	Chris	Joe	Anthony	Anthony
Close Mgr	Joe	Mike	Joe	Joe F.	Mike	Mike	Joe B.
Kevin (AM)	OFF	12-8pm	12-8pm	12-8pm	12-8pm	12-8pm	OFF
Ryan Asst Mgr	OFF	off	4pm-12am	4pm-12am	4pm-12am	4pm-12am	12-8pm
Late Night Manager				Bob 9-11	Bob 9-11	Bob 9-11	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-430)	Bartender	Ashra	Kelin back up	Gilron	Chris	Melissa	Melissa
AM Server 2 (11-430)							Ryan back up
PM Server 1 (1230-10)	Chris	Gilron	Ashra	Ryan	Gilron	Ryan	Gilron
PM Server 2 (1230-10)		Justin	Nicole	Ashra	Justin	Justin	
EXPEDITOR				Nicole	Ashra	Gilron	
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Paco Don Juan	off	12 to 830	12 to 830	12 to 830	11 to 10	11 to 9	off
Francisco Molina	11 to 10	11 to 5	OFF	OFF	11 to 5	11 to 9	12 to 10
Donie	12 to 10	11 to 10	11 to 10	11 to 10	5 to 10	3 to 10	OFF
WOP	off	3 to 10	12 to 10	3 to 10	3 to 10	3 to 10	1-8
CLEANING	Cesar 830-11	Morino 830-11	Cesar 830-11	Cesar 830-11	Wan 830-11	Cesar 830-11	Morino (Clean & DW)
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Pat D.	Mike	Joyson	Joyson	Pat D.	
Bouncer 2				Mike	Mike	Joe	
Bouncer 3				Pat D.	Looy	Ty	
Bouncer 4							

23

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

10/26/14

10/26/14

NFL Ticket - Eagles VS Cardinals 4:05pm - VU Cleanup day 30ppt buffet on Mezz @ 12pm - Hamilton Golf Outing 25-30ppt 6:45pm 3rd floor

EVENTS

Homecoming weekend

Homecoming wknd - Villanova Home Football 3:30pm

SPECIALS

\$7.50 off Coors Light
\$3.50 off Drafts
\$3.50 off Drafts 10-12am

Two Tuesday 3 Taps \$5
\$1 Coors Light Drafts & \$2
Wellingtons from 10-12am

Closed Door Wine Party
10pm-wednight

\$3.50 off
moonlighting/santa
overcast/santa crafts
all day
with 10pm-12am

\$3.50 off Light Drafts and
Bottles
\$2.50 off 10-12am

\$3.50 off Light Drafts and
Bottles
\$2.50 off 10-12am

Guest of 8 Coors Light
Bottles for \$3.50 during all
NFL games also

ALL DAY EVERYDAY

\$3 Coors Light Bottles & Drafts

Happy Hour

M-F: Happy Hour 4-6 \$2 Domestic, \$2 Wells \$3 Craft and Imports and Wine

BARTENDERS

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Monday

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

11/22/14

	10/27/14	10/28/14	10/29/14	10/30/14	10/31/14	11/1/14	11/2/14
EVENTS					Halloween Party starting at 9pm, giveaways including coors light fridge	Joe Engler Oakley Pres. 60 70ppl Top 2 floors 7 - 9pm	Race for Hope, 200 ppl breakfast buffet 11am-3pm Entire bar closed to the public til 1pm NFL ticket - Eagles vs Texans 1:05
SPECIALS	\$7.50 Coors Light Pilsners \$3 Fireball 10 - 12am	Taco Tuesday 5 Tacos \$5 \$3 Coors Light Drafts & \$2 Well Drinks from 10-12am	Crossed Door VIP Party 10pm-midnight	\$3 blue moon/lagunitas/eleme \$2.50 Sam Adams drafts all day wells 10pm-12am	\$3 Veuve Clicquot and Bottles \$2.50 Wells 10-12am	\$3 Coors Light Drafts and Bottles \$2.50 Wells 10-12am	Bucket of 6 Coors Light Bottles for \$15 During all NFL games also
ALL DAY EVERYDAY	M-F: Happy Hour 4-6, \$2 Domestic, \$2 Well, \$3 Craft and Imports and Wine						
HAPPY HOUR							
BAR/ENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Joe 1030-7	Mike B. 1030-7	KK 1030-6	Mike B. 11-7pm	Joe 11-7	Anthony 11-7pm	Anthony 9:30-6pm
Down-AM Bar 2							Joe F. 9:30-6pm
Up-AM Bar 1	Joe 7-10	Mike 9, 7-10	Joe F. 6-10	Mike B. 7-10	Mike B. 5-10 (Open Up)	Mike B. 7-10	Joe B. 9:30-6pm
Down-PM Bar 1			Nicole 9:30-10	Mike S. 7-10	Sarah 7-10	KK 7-10	
Down-PM Bar 2				Mike S. 7-10	Robin 5-10 (Open Up)	Robin 9-10	
Down-PM Bar 3				Joe F. 5-10	Kris 9-10	Sarah 5-10 (Open Up)	
UP-PM BAR 1				Sarah 9-10	Mike S. 9-10	Joe F. 5-10 (Open Up)	
UP-PM BAR 2					Ryon 9-10	Marcus 9-10	
BARBACK							
Open Mgr	Joe	Mike	KK	Mike	Joe	Anthony	Anthony
Close Mgr	Joe	Mike	Joe	Mike	Mike	Mike	Joe B.
Kristin GM	12-8PM	OFF	10-6pm	12-8pm	12-8pm	OFF	9:30-5pm
Ryan Asst Mgr	OFF	10-6pm	4pm-12am	4pm-12am	5pm-10	5pm-10	OFF
Lane Night Manager				Beb 9-10	Beb 9-10	Beb 9-10	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-430)	Kristin back up	Ryon back up	Kristin back up	Kristin back up	Chris	Chris	Anthony in at 9:30
AM Server 2 (11-430)							Chris in at 9:30
PM Server 1 (430-10)	Chris	Gillon	Nicole	Nicole	Gillon	Gillon	Justin in at 9:30
PM Server 2 (430-10)	Justin	Justin	Ashoa	Ashoa	Justin	Justin	Gillon
PM Server 3 (430-10)						Nicole	
EXPEDITER				Ryon	Ashoa	Ryon	
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juan	off	12 to 830	12 to 830	12 to 830	11 to 10	11 to 9	off
Francisco Molina	11 to 10	11 to 5	OFF	OFF	11 to 5	11 to 9	12 to 10
Daniel	12 to 10		11 to 10	11 to 10	5 to 10	OFF	OFF
Ivon	off	3 to 10	12 to 10	3 to 10	3 to 10	3 to 10	1-6
CLEANING	Cesar 830-11	Molina 830-11	Cesar 830-11	Cesar 830-11	Ivon 830-11	Cesar 830-11	Molina (Clean & DW)
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Joyson	Mike	Ty	Pol	Pol D.	
Bouncer 2					Mike	Mike	
Bouncer 3				Pol	Pol D.	Brenden	
Bouncer 4				Mike			

Case: 16646300

Document: 0082112706435

Page: 258

Date Filed: 08/25/2017

21

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

11/9/14

EVENTS	11/3/14	11/4/14	11/5/14	11/6/14	11/7/14	11/8/14	11/9/14
		VILLANOVA HOME BASKETBALL OPENER @ 7PM (NORTHWOOD)		Going away party - 3rd Floor - 30pm 4:30 - 8:30pm		VILLANOVA HOME FOOTBALL @ 7PM (TOMSON) - VU SPECIAL OLYMPICS SOCIAL - 25- 35PPL - 3RD FL - 4:30- 7:30PM	NFL Ticket
SPECIALS	\$7.00 oz. Coca Light Pitches \$3.00 Fireball 10 - 12am	Free Tuesday 3 Tacos \$4 \$3.00 Coca Light Drafts & \$2 Wet Drinks from 10-12am	Closed Door VIP Party 10pm-midnight	\$3.00 blue moss/lingerie/ale new/dan/Adams drafts all day wells 10pm-12am	\$3.00 Munging Drafts and Bottles \$2.00 Wells 10-12am	\$3.00 Coca Light Drafts and Bottles \$2.00 Wells 10-12am	Bucket of 6 Coca Light Bottles for \$13.00 During all NFL games also
ALL DAY EVERYDAY	\$3.00 Coca Light Bottles & Drafts						
Happy Hour	M-F: Happy Hour 4-6, \$2.00 Domestic, \$2.00 Wells, \$3.00 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Joe 1030-7	Mike B. 1030-7	KK - 1030-6	Mike B. 11-7pm	Joe F. 11-7	Anthony 11-6pm	Anthony 11-6pm
Up-AM Bar 1							
Down-PM Bar 1	Joe 7-10	Mike B. 7-10	Joe F. 6-10	Mike B. 7-10	Mike B. 5-10	Mike B. 6-10	Chris 11-8pm Joe B. 6-10
Down-PM Bar 2		Mike S. 5-10	Nicole 5:30-10	Joe F. 7-10	Rob 7-10	Sarah 7-10	
Down-PM Bar 3				Sarah 9-10	Kas 9-10	Rob 9-10	
UP-PM BAR 1		Chris 4pm		Mike S. 5-10	Sarah 5-10	KK - 4-10	
UP-PM BAR 2				Rob 5-10	Mike S. 9-10	Joe F. 5-10	
BARBACK					Myrcus 9-10	Maxcus 9-10	
Open Mgr	Joe E.	Mike	KK	Mike	Joe F.	Anthony	Anthony
Close Mgr	Joe F.	Mike	Joe F.	Mike	Mike	Mike	Joe B.
Kristen GM	12-8PM	OFF	OFF	12-8pm	12-8pm	12-8pm	11-7pm
Ryan Asst Mgr	OFF	12-8pm	4pm-12am	4pm-12am	5pm-10	5pm-10	OFF
Late Night Manager				Bob 9-10	Bob OFF	Bob 9-10	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-430)	Karin back up	Ryan back up	Bartender	Karin back up	Chris	Melisso	Melisso
AM Server 2 (11-430)							
AM Server 3 (11-430)							
PM Server 1 (430-10)	Chris	Chris	Nicole	Nicole	Garon	Garon	Garon
PM Server 2 (430-10)		Garon	Ryan	Ryan	Justin	Justin	
EXPEDITER							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco San Juan	off	12 to 830	12 to 830	12 to 830	11 to 10	11 to 9	off
Francisco Molina	11 to 10	11 to 5	OFF	OFF	11 to 5	11 to 9	12 to 10
Daniel	12 to 10		11 to 10	11 to 10	5 to 10		OFF
Icon	off	3 to 10	12 to 10	3 to 10	3 to 10	3 to 10	1-8
CLEANING	Cesar 830-11	Molina 830-11	Cesar 830-11	Cesar 830-11	Icon 830-11	Icon 830-11	Molina Clean & Dye
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Joyson	Mike	Mike	Pol	Pol D.	
Bouncer 2			Ryan to help at Door	Pol D.	Mike	Mike	
Bouncer 3				Pol D.	Mike	Mike	
Bouncer 4					Cory	Tony	

Case: 116-42000

Document: 0083111224964315

Page: 209

Date Filed: 08/25/2017

21

88

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

11/16/14

	11/10/14	11/11/14	11/12/14	11/13/14	11/14/14	11/15/14	11/16/14
EVENTS	EAGLES @ 8:30 (PANTHERS)					Dan Kelly, Lacrosse Tourney, Mezz & 3rd Floor, 100 ppl, 4 - 8pm & VILLANOVA HOME FOOTBALL @ 7PM (ALBANY)	NFL TICKET - EAGLES @ 1PM (PACKERS)
SPECIALS	\$7.99 Coors Light \$5.99 Coors Light \$5.99 Coors Light	Taco Tuesday 3 Tacos \$5.99 \$1 Coors Light & \$2.99 Wendy's from 10-12am	Closed Door Yr Party (open-midnight)	\$1 Blue Monday \$2.99 Coors Light & \$2.99 Wendy's from 10-12am	\$2.99 Coors Light & \$2.99 Wendy's from 10-12am	\$3 Coors Light & \$2.99 Wendy's from 10-12am	\$3 Coors Light & \$2.99 Wendy's from 10-12am
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
Hoppy Hour	M-F: Hoppy Hour 4-6:30 Domestic, S2 Wells, S3 Craft and Imports and Wine						
REFERENCES	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Joe 1030-7	Mike B. 1030-7	KK 1030-6	Mike B. 1030-7pm	Joe F. 11-5	Anthony 11-6pm	Anthony 11-6pm
Up-AM Bar 1							
Down-PM Bar 1	Joe 7-11	Mike B. 7-11	Joe F. 6-11	Mike B. 7-11	Mike B. 5-11	Mike B. 6-11	Joe F. 11-6pm
Down-PM Bar 2			Chris 9:30-11	Joe F. 7-11	Rob 7-11	Scrach 7-11	Joe B. 6-11
Down-PM Bar 3				Chris 9-11	Mike S. 9-11	KK 9-11	
UP-PM BAR 1				Mike S. 5-11	Joe F. 5-11	Rob 3-11 (Party)	
UP-PM BAR 2				Rob 9-11	Chris F. 9-11	Joe F. 3-11 (Party)	
BARBACK					Marcus 9-11	Marcus 9-11	
Open Mgr	Joe F.	Mike	KK	Mike	Joe F.	Anthony	Anthony
Close Mgr	Joe F.	Mike	Joe F.	Mike	Mike	Mike	Joe B.
Kristin GM	12-3PM	OFF	12-3PM	12-3PM	12-3PM	12-3PM	11-7pm
Ryan Asst Mgr	OFF	2-10pm	4pm-12am	4pm-12am	4pm-12am	4pm-12am	OFF
Lane Night Manager							
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-430)	Bortender	Bortender	Kelly (front)	Bortender	Chris	Mezzo	Mezzo
AM Server 2 (11-430)							
AM Server 3 (11-430)	Chris	Ryon	Gillie	Gillie	Gillie	Gillie (in at 3pm-Party)	Gillie
PM Server 1 (430-10)	Stephonia (front)	Kelly (front)	Chris	Ryon	Justin	Justin	
PM Server 2 (430-10)					Key	Stephonia	
PM Server 3 (430-10)					Colin Bortender 6-9	Colin Bortender 6-9	
BUSSEY							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juan	off	12 to 830	12 to 830	12 to 830	11 to 10	11 to 9	off
Francisco Molina	11 to 10	11 to 5	OFF	OFF	11 to 5	11 to 9	11 to 9
Dorel	12 to 10	OFF	11 to 10	11 to 10	3 to 10	3 to 10	12 to 8
IVON	OFF	OFF	12 to 10	12 to 10	3 to 10	3 to 10	3 to 10
CLEANING	Cesar 830-11	Martina 830-11	Cesar 830-11	Cesar 830-11	IVON 830-11	IVON 830-11	Martina (Clean & DW)
CLEANING							
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Joyson	Mike	Mike	Joe	Por D.	
Bouncer 2			Joy	Por D.	Joe	Por D.	
Bouncer 3					Joe	Por D.	
Bouncer 4					Mike	Por D.	

Case: 116-43000

Document: 008211224964315

Page: 220

Date Filed: 08/25/2017

23

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

12/7/14

	12/1/14	12/2/14	12/3/14	12/4/14	12/5/14	12/6/14	12/7/14
EVENTS	RAMP TRAINING AT FLIPS 8am & Fred Klevan. TREATS FOR TROOPS. 1600pt. all bar private. 6pm, BUFFET		BASKETBALL AWAY @ LA SALLE 8:30PM			HOME BASKETBALL @ 1PM (ST. JOE) NOVA FOOTBALL VS. LIBERTY 4:30PM	NFL TICKET - EAGLES HOME @ 4:30PM (SEAHAWKS)
SPECIALS	57.60 oz Coors Light Pilsener 53 Pinball 10 - 12am	Free Tuesday 3 Tacos \$5 \$1 Coors Light Drafts & \$2 Well Drinks from 10-12am	Closed Door VIP Party Spend \$100.00 in bar closets @ 10-15pm	53.90 oz Mountain Dew new American Adams drafts all day wells 10pm-12am	\$5 Tumbling Drafts and Bottles 12:50 Wells 10-12am	\$5 Coors Light Drafts and Bottles 12:50 Wells 10-12am	Blue Hat of 5 Coors Light Bottles for \$3.33 Drafts all NFL games also
ALL DAY EVERYDAY	53 Coors Light Bottles & Drafts						
Happy Hour	M-F Happy Hour 4-6, S2 Domestic, S2 Wells, S3 Craft and Imports and Wine						
BAR TENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Joe F. 1030 - 5	Mike B. 1030 - 7	KK - 1030 - 6	Mike B. 10:30-7pm	Joe F. 11 - 5	Anthony 11 - 6pm Sarah 11 - 6pm	Anthony 11 - 6pm
Up-AM Bar 1						Joe F. 12-5pm	
Down-PM Bar 1	Joe E. 5 - CI	Mike B. 7 - CI	Joe E. 6 - CI	Mike B. 7- CI	Mike B. 5 - CI	Mike B. 6 - CI	Joe B. 4 - CI
Down-PM Bar 2	Kris 4 - CI	Chris 9:30 - CI	Chris 9:30 - CI	Joe F. 9- CI	Robin 9 - CI	Sarah 6 - CI	
Down-PM Bar 3	Chris 4 - CI			Sarah 9- CI	Chris 5 - CI	Kris 9 - CI	
Up				Robin 5- CI	Sarah 7 - CI	Robin 9 - CI	
Up				Anthony 10:30 - CI	Joe F. 5 - CI	Joe F. 5 - CI	
BARBACK				Marcus 9 - CI		Marcus 9 - CI	
Open Mgr	Joe E.	Mike	KK	Mike	Joe F.	Anthony	Anthony
Close Mgr	Joe F.	Mike	Joe F.	Mike	Mike	Mike	Joe B.
Bar Ass Mgr	12-5	OFF	OFF	2-10	3-11	11-11	OFF
Late Night Manager				Bab 9 - CI	OFF	Bab 9 - CI	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-4:30)	Bortender	Bortender	Bortender	Bortender	Chris	Melissa	Melissa
AM Server 2 (11-4:30)						Kelly	Kelly
AM Server 3 (11-4:30)		Chris	Chris until 9:30	Gilson	Gilson	Ryan and Chris	Gilson
PM Server 1 (4:30-10)	4pm Gilson		Alexandro	Alexandro	Kelly	Gilson	
PM Server 2 (4:30-10)	4pm Alexandro				Ryan		
PM Server 3 (4:30-10)	5:30pm Rodon				Ryan	Chris	
BUSSEY					Colin Bussey 6-9	Kelly Server 4:30pm	
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juan	off	12 to 830	12 to 830	12 to 830	11 to 10	11 to 9	off
Florencia Moring	11 to 10	11 to 5	OFF	OFF	11 to 5	11 to 9	11 to 9
Daniel	12 to 10	11 to 10	11 to 10	11 to 10	5 to 10	3 to 10	12 to 8
Ivon	3 to 10	OFF	12 to 10	3 to 10	3 to 10	3 to 10	
CLEANING	Cesar 830-11	Morino 830-11	Cesar 830-11	Cesar 830-11	Ivon 830-11	Cesar 830-11	Morino Clean 8 DWI
CLEANING							
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Joyson	Mike	Mike	Joe	Pol D.	
Bouncer 2			Tony	Ty	Joyson	Mike	
Bouncer 3				Pol	Ty	Ty	
Bouncer 4					Corr (Rob off)		

19 bar
5 Sen

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

12/21/14

EVENTS	12/15/14	12/16/14	12/17/14	12/18/14	12/19/14	12/20/14	12/21/14
SPECIALS	\$7.50 oz Coors Light Pitchers \$3 Flatberr 10-12am Wed-Den from 10-12am	Taco Tuesday 3 tacos 16-18 \$3 Coors Light Drafts & \$2 Well Drafts from 10-12am	Closed Door VIP Party 9pm-midnight. Door 10-15pm \$2 Coors 830-11pm	\$5 Blue Moon/Aguila/Starline \$2 Coors Light Drafts and \$2 Well Drafts 10-12am	\$3 Yuen King Drafts and \$2 Coors Light Drafts and \$2 Well Drafts 10-12am	\$3 Coors Light Drafts and \$2 Coors Light Drafts and \$2 Well Drafts 10-12am	Bucket of 6 Coors Light Bottles for \$15. During all NFL games also
ALL DAY EVERYDAY	M-F: Happy Hour 4-6, \$2 Domestic, \$2 Well, \$3 Craft and Imports and Wine						
HOPPY HOUR							
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bcr 1	Joe F. 1030-5	Mike B. 1030-7	KK 1030-6	Mike B. 10:30-7pm	Joe F. 11-5	Anthony 11-6pm	Anthony 11-6pm
Down-AM Bcr 2						12-5pm	Joe F. 11-6pm
Up-AM Bcr 1							Robin 1-6pm
Down-PM Bcr 1	Joe F. 5-Cl	Mike B. 7-Cl	Joe F. 6-Cl	Mike B. 7-Cl	Mike B. 5-Cl	Mike B. 6-Cl	Joe B. 6-Cl
Down-PM Bcr 2			Chris 9:30-Cl	Chris 9-Cl	Robin 7-Cl	Chris 6-Cl	
Down-PM Bcr 3				Sarah 9-Cl	Joe F. 5-Cl	Joe F. 9-Cl	
Up				Robin 5-Cl	Sarah 9-Cl	Sarah 5-Cl	
SARBACK				Chris (Party) 3pm-6	Anthony 10:30-Cl	KK 7-Cl	
Open Mgr	Joe F.	Mike	KK	Mike	Joe F.	Marcus 9-Cl	Marcus 9-Cl
Open Mgr	Joe F.	Mike	Joe F.	Mike	Joe F.	Anthony	Anthony
Ryan Asst Mgr	OT	1-H	2-1W	2-1W	2-12	Mike	Joe B.
Late Night Manager				Bob 9-Cl	Bob 9-Cl	Bob 9-Cl	Bob 9-Cl
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11-430	Bartender	Bartender	Bartender	Bartender	Chris	Kelly	Melissa
AM Server 2 11-430							Gillon
PM Server 1 430-10	Chris	Kelly	Chris until 9:30	Gillon	[Ryan Backup 2-10pm]	Kelly	Chris
PM Server 2 430-10			Alexandro	Alexandro	Alexandro	Alexandro	Alexandro
PM Server 2 430-10					Chris	Gillon	
BUSSEER						[Ryan Expedite]	
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Paco San Juan	off	12 to 830	12 to 830	12 to 830	11 to 10	11 to 9	off
Francisco Molina	11 to 10	11 to 5	OFF	OFF	11 to 5	11 to 9	11 to 9
Daniel	12 to 10	OFF	11 to 10	11 to 10	5 to 10	OFF	12 to 8
WON	OFF	OFF	12 to 10	12 to 10	3 to 10	3 to 10	OFF
CLEANING	Cesar 830-11	Monro 830-11	Cesar 830-11	Cesar 830-11	WON 830-11	WON 830-11	Wazima (Clean & Dry)
CLEANING							
OTHER	MONDAY	TUESDAY	WEDNESDAY		FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Joyson	Mike	Mike	Joe	Paul D	
Bouncer 2			Tony	Paul D.	Joyson	Mike	
Bouncer 3				Paul P.	Ly	Cory	
Bouncer 4							

Robert
happy
p-his

21

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

12/28/14

	12/22/14	12/23/14	12/24/14	12/25/14	12/26/14	12/27/14	12/28/14
EVENTS		Villanova Home vs. NJIT @ 7pm		MERRY CHRISTMAS!			EAGLES @ GIANTS 1:00PM
SPECIALS	\$7.60 oz Coors Light \$3.00 Drafts \$3.00 Drafts 10-12am	Taco Tuesday 3 Tacos \$5 \$4 Coors Light Drafts & \$2 Well Drinks from 10-12am	Kelly's classes at 3pm	Closed	\$3.00 Drafts and \$2.50 Wells 10-12am	\$3 Coors Light Drafts and \$2.50 Wells 10-12am	Back at 8 Coors Light Bottles for \$1.33 During all AFL games also
ALL DAY EVERYDAY	53 Coors Light Bottles & Drafts						
HAPPY HOUR	M-F: Happy Hour 4-6	52 Domestic, 52 Wells	53 Craft and Imports and Wine				
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris 10:30-5	Mike B. 10:30-7	KK-10:30-3		Kris F. 10:30-5pm	Anthony 10:30-6pm	Anthony 10:30-6pm
Down-AM Bar 2				MERRY			
Up-AM Bar 1							
Down-PM Bar 1	Joe F. 5-10	Mike B. 7-10		CHRISTMAS	Mike B. 5-10	Mike B. 6-10	Joe B. 6-10
Down-PM Bar 2		Kris F. 5-10pm		TO	Robb S. 5-10	Sarah 9-10	Sarah 9-10
Down-PM Bar 3					Sarah 9-10	Kris 9-10	Kris 9-10
Up				ALL	Joe F. 9-10	Joe F. 5-10	Joe F. 5-10
BARBACK							
Dave Mgr	Chris	Mike	KK	OFF	Kris F.	Anthony	Anthony
Chet Mgr	Joe F.	Mike	KK	OFF	Mike	Mike	Joe B.
Ryan Asst Mgr	OFF	OFF	OFF	OFF	3-11	2-10	11-7
Late Night Manager				OFF	OFF	OFF	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-4:30)	Bartender	Bartender	Bartender		Kelly	Melissa	Melissa
AM Server 2 (11-4:30)							
PM Server 1 (4:30-10)	Alexandro	Alexandro 4pm			Chris	Chris	Gillon
PM Server 2 (4:30-10)		Chris 4pm			Gill	Gill	
PM Server 3 (4:30-10)					Kelly	Ryan	
BUSSEY							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juan	off	12 to 8:30	12 to 3		12 to 10	11 to 9	off
Francisco Mofino	11 to 10	11 to 5	Off		11 to 5	11 to 9	11 to 9
Dorei	12 to 10	Off	11 to 3		5 to 10	Off	12 to 8
Kevin	Off	Off			3 to 10	Off	Off
CLEANING	Kevin 8:30-11	Kevin 8:30-11			Cesar 8:30-11	Mofino 8:30-11	Mofino Clean & Dwy
CLEANING						Cesar 8:30-11	
OTHER	MONDAY	TUESDAY	WEDNESDAY		FRIDAY	SATURDAY	SUNDAY
Bouncer 1					Mike	Pat D.	
Bouncer 2					TV	Pat P.	
Bouncer 3							
Bouncer 4							

Case: 16-48000

Document: 0083112706435

Page: 825

Date Filed: 08/28/2017

9

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

1/4/14

	12/29/14	12/30/14	12/31/14	1/1/15	1/2/15	1/3/15	1/4/14
EVENTS			Closed After Game by 6pm BASKETBALL VS. BUTLER 2:30PM	CLOSED FOR NEW YEARS		AWAY BASKETBALL @ 12PM vs. SETON HALL	NO EAGLES GAME
SPECIALS	\$7.00 or Coors Light Punches \$3 Pinball 10-12am	Free Tuesday 3 Tacos \$5 \$5 Coors Light Drinks & 32 Well Drinks from 10-12am	Donor Close After Villanova Game Rush		\$5 Venning Drafts and Bottles \$2.50 Wells 10-12am	\$5 Coors Light Drafts and Bottles \$2.50 Wells 10-12am	Bucket of 5 Coors Light Bottles for \$15 Drafty All NFL games also
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
Hoppy Hour	M-F Hoppy Hour 4-6, S2 Domestics, S2 Wells, S3 Croft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down AM Bar 2	Chris 1030-?	Mike B. 1030-?	Kris F. 11-1-7	Kris F. 11-7	Anthony 11-7pm	Anthony 11-7pm	
Up AM Bar 1			Kris F. 11-1-7	Kris F. 11-7	Anthony 11-7pm	Anthony 11-7pm	
Down PM Bar 1	Joe F. 7-11	Mike B. 7-11	Robin 11-1-7	HAPPY NEW YEAR!	Mike B. 7-11	Mike B. 7-11	Kris F. 7-11
Down PM Bar 2					Robin 9-11	Robin 9-11	
Down PM Bar 3					Soren 7-11	Kris F. 7-11	
Up					Joe F. 5-11	Joe F. 7-11	
BARBACK							
Open Mkt	Joe F.	Mike	Kris F.	Kris F.	Kris F.	Anthony	Anthony
Close Mkt	Joe F.	Mike	Kris F.	Kris F.	Kris F.	Mike	Kris F.
Ryan Asst Mkt	OFF	11-1	11-1	OFF	2-10	11-10	11-7
Lead Night Manager				OFF	Bob 9-11	OFF	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11030-430	Bartender	Bartender	Chris 10:30-11	Chris 10:30-11	Chris	Melissa	Melissa
AM Server 2 11030-430			Alexandra 10:30-11	Alexandra 10:30-11	Michelle	Alexandra	Alexandra
AM Server 3 11030-430	Alexandra	Alexandra	Ryan 10:30-11	Gillon	Gillon	Chris	Gillon
PM Server 1 430-10					Chris	Alexandra	
PM Server 2 430-10							
PM Server 3 430-10							
PM Server 4 430-10							
BUSSEY					Ryan (back up)	Ryan (back up)	
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juon	off	Off	off	off	12 to 10	11 to 10	off
Francisco Mofing	11 to 10	11 to 5	off	Off	11 to 5	11 to 9	11 to 9
Daniel	12 to 10	5 to 10	11 to close	off	5 to 10	Off	12 to 8
Ivon	Off	11 to 10	12 to close	off	3 to 10	12 to 10	Off
CLEANING	Cesar 830-11	Morning 830-11	Cesar 830 to close	Cesar 830-11		Ivon 830-11	Morning Clean & Dry
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1					Joe B.	Jayson	
Bouncer 2						Pol P.	
Bouncer 3					Mike B. Jr. for Bob		
Bouncer 4					John		

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

1/18/15

Case: 16-4300 Document: 0033112706435 Page: 228 Date Filed: 01/25/2017

EVENTS	1/12/15	1/13/15	1/14/15	1/15/15	1/16/15	1/17/15	1/18/15
CFP CHAMPIONSHIP GAME Oregon vs. Ohio State 8:30pm							
HOME BASKETBALL @ 9PM XAVIER							
Nova Welcome Back Seniors 2nd/3rd floors - 9pm- 200ppd - Cash bar and menu - ready by 8:30							
PHILLY BASKETBALL- Nova @ Uppenn 7pm (Play game sound)							
NFL Playoffs @ 3pm and 6:30pm							
SPECIALS	\$7.60 out Coors Light Packets \$3 FISHBALL 10-12am	Taco Tuesday \$3 Tacos \$5 \$3 Coors Light Drafts & \$2 Well Drinks from 10-12am	NO VIP W/EF Help \$3 Coors Light Drafts & \$2 Well Drinks from 10-12am the 21st	\$5 blue mudrapulaserra Seniors 2nd/3rd floors - 9pm- 200ppd - Cash bar and menu - ready by 8:30	\$3 Templing Drafts and Batches \$2.60 Wells 10-12am	\$4 Coors Light Drafts and Batches \$2.60 Wells 10-12am	Back at 6 Coors Light Batches for \$13 during all NFL games also
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
Happy Hour	M-F: Happy Hour 4-6: \$2 Wells, \$3 Craft and Imports and Wine						
BAR TENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down AM Bar 1	Chris 1030-7	Mike B. 1030-7	KK 1030-7	Mike B. 10:30-7pm	Kris F. 1030-7	Anthony 1030-7pm	Anthony 11-7pm
Down AM Bar 2							
Up AM Bar 1							
Down PM Bar 1	Joe F. 5-C	Mike B. 7-C	Joe F. 7-C	Mike B. 7-C	Mike B. 5-C	Mike B. 6-C	Kris F. 7-C
Down PM Bar 2	Kris F. 7-C	Mike B. 7-C	Kris F. 6-C	Kris F. 5-C (4pm-7pm)	Joe F. 7-C	Sarah 7-C	
Down PM Bar 3			Robin 7-C	Sarah 9-C	Sarah 7-C	KK 9-C	
UP			Joe F. 8-C (Up Room 6-C) (Well 10-12am)	Joe F. 8-C (Up Room 9-C)	Robin 9-C	Joe F. 5-C	Robin 7-C
BARBACK							
Open Mgr	Chris	Mike	KK	Mike	Marcus 9-C	Marcus 9-C	Anthony
Cash Mgr	Joe F.	Mike	Joe F.	Mike	Kris F.	Anthony	Anthony
Ryan Asst Mgr	OFF	3-11	4-12	2-10	Mike	Mike	Kris F.
Late Night Manager				Bob 830-C	Bob 9-C	Bob 9-C	OFF
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-430)	Bartender	Bartender	Bartender	Bartender	Chris	Chris	Alexandria
AM Server 2 (11-430)							
PM Server 1 (430-10)	Gilson	Gilson	Chris	Chris	Chris	Chris	Matthew 3-10
PM Server 2 (430-10)	Alexandria	Natolio	Alexandria	Matthew	Alexandria	Alexandria	Natolio
PM Server 3 (430-10)			Matthew	Natolio	Matthew	Natolio	
BUSSES			Ryan expedite	Ryan expedite			
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco San Juan	off	12 to 830	12 to 830	12 to 830	11 to 10	11 to 9	off
Flotisco Molina	11 to 10	11 to 5	OFF	OFF	11 to 5	11 to 9	11 to 9
Donel	12 to 10	5 to 10	11 to 10	11 to 10	5 to 10	OFF	12 to 8
W/EF	OFF	OFF	12 to 10	3 to 10	3 to 10	12 to 10	OFF
CLEANING	Cesar 830-11	Molina 830-11	Cesar 830-11	Cesar 830-11	Ivon 830-11	Ivon 830-11	Molina 10cen
CLEANING						Cesar 830-11	
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Jayson	Mike	Mike	Joe	Ty	Pat D.
Bouncer 2		TV	Tony	Pat P	Jayson	Cory	Mike
Bouncer 3				Pat D	Mike	John	
Bouncer 4							

24

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

2/8/15

EVENTS	2/2/15	2/3/15	2/4/15	2/5/15	2/6/15	2/7/15	2/8/15
SPECIALS	\$7.00 oz Coca Light Pilsners \$3 Freeball 10-12am	Taco Tuesday 3 Tacos \$8 \$1 Coors Light Drafts & \$2 Well Drinks from 10-12am	Closed Door Yr Party Spendalight 1000 closed 1000-15	\$3 Blue mountainapple \$2.50 Well 10-12am all day	\$3 Youngling Drafts and Bottles \$2.50 Well 10-12am	\$3 Coors Light Drafts and Bottles \$2.50 Well 10-12am	\$3 Coors Light Drafts and Bottles \$2.50 Well 10-12am
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
Happy Hour	M-F: Happy Hour 4-6 \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris H. 1030-7	Mike B. 1030-7	KC - 1030-7	Mike B. 10:30-7pm	Kris F. 11-7	Anthony 11-7pm	
Up-AM Bar 1						Kris F. 2-4pm	
Down-PM Bar 1	Scorch 7-11	Mike B. 7-11	Kris F. 7-11	Mike B. 7-11	Mike B. 5-11	Scorch 3-7pm UP	
Down-PM Bar 2			Robin 9-11	Kris F. 7-11	Kris F. 7-11	Mike B. 5-11	
Down-PM Bar 3				Scorch 9-11	Scorch 9-11	Robin 9-11	
UP				Robin 8-11up	Robin 7-11up	Anthony 7-11up	
UP				Chris H. 9-11up	Anthony 10-11up	Kris 9-11up	
BARBACK					Marcus 9-11	Marcus 9-11	
Queen Mer	Chris	Mike	KC	Mike	Kris F.	Anthony	
Chase Mer	Sam	Mike	Kris F.	Mike	Mike	Mike	
Ryan Asst Mer	OTF	4-12	2-10	2-10	2-10	12-8	
Lane Night Manager				Bab 9-11	OTF	Bab 9-11	
SERVICES	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-430)	Bortender	Bortender	Bortender	Bortender	Chris	Mejiso	
AM Server 2 (11-430)						Alexandro	
AM Server 3 (11-430)							
PM Server 1 (430-10)	Gillon	Norio	Alexandria	Gillon	Gillon	Chris	
PM Server 2 (430-10)			Chris	Norio	Alexandria	Gillon	
PM Server 2 (430-10)					Mollie	Norio	
BUSSER							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juan	off	12 to 830	12 to 9	12 to 830	11 to 10	11 to 9	
Francisco Moring	11 to 10	11 to 5	off	off	11 to 5	11 to 9	
Dionis	12 to 10	5 to 10	11 to 10	11 to 10	5 to 10	off	
Iron	off	off	12 to 10	3 to 10	3 to 10	12 to 10	
CLEANING	Cesar 830-11	Morino 830-11	Cesar 830-11	Cesar 830-11	Iron 830-11	Iron 830-11	Morino 830-11
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Jayson	Mike	Mike	Mike	Joe	
Bouncer 2					Pat D.	Coy	
Bouncer 3				John	Jayson	John	
Bouncer 4					Moff		



KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

	2/2/15	2/3/15	2/4/15	2/5/15	2/6/15	2/7/15	2/8/15
EVENTS			Ortigio \$3.50 Blue Moon Promo 5-7pm - Wells Fargo Nova Basketball vs. Marquette @ 7pm			Wells Fargo Nova Basketball vs. Georgetown @ 2pm	
SPECIALS	\$7.50 oz Coors Light Pilsners \$3 Fireball 10 - 12pm	Taco Tuesday 3 tacos \$5 \$4 Coors Light Drafts & \$2 Well Drafts (mon-10-12pm)	Open Door Weekly beverages and snacks drafts \$1.49 - \$2 wells 10pm-12pm	\$2 Blue margaritas and snacks beverages and snacks drafts \$1.49 - \$2 wells 10pm-12pm	\$2 Vending Drafts and Bottles \$2.50 Wells 10-12pm	\$2 Coors Light Drafts and Bottles \$2.50 Wells 10-12pm	Bucket of 5 Coors Light bottles \$13 Coors Light Drafts and Bottles
AU DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
HAPPY HOUR	M-F: Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris H. 10:30 - 7pm	Mike B. 10:30 - 7pm	KK - 10:30 - 7pm	Mike B. 10:30-7pm	Kris F. 11 - 7pm	Anthony 11 - 7pm	Chris H. 11 - 7pm
Down-AM Bar 2						Sorah 2 - 7pm	
Up-AM Bar 1							
Down-PM Bar 1	Sorah 7 - CI	Mike B. 7 - CI	Kris F. 7 - CI	Mike B. 7 - CI	Mike B. 5 - CI	Mike B. 5 - CI	Kris F. 7-CI pm
Down-PM Bar 2			Robin 7 - CI	Sorah 8 - CI	Kris F. 7 - CI	Sorah 7 - CI	
Down-PM Bar 3				Kris 7 - CI	Sorah 7 - CI	Robin 9 - CI	
Up				Robin 9 - CI Up	Robin 9 - CI Up	KK 9 - CI	
BP				Chris H. 9 - CI Up	Anthony 10 - CI Up	Kris 9 - CI	
BARBACK					Marcus 9 - CI		
Open Mgr	Chris	Mike	KK	Mike	Kris F.	Anthony	Chris
Close Mgr	Sarah	Mike	Kris F.	Mike	Mike	Mike	Kris F.
Ran Asst Mgr	OPF	2-10	2-10	2-10	2-10	12-8	OFF
Lead Night Manager				Bob 9 - CI	Bob 9 - CI	Bob 9 - CI	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11-4:30	Bartender	Bartender	Bartender	Bartender	Chris	Caroline	Meissa
AM Server 2 11-4:30							
AM Server 3 11-4:30	Matthew	Natolia	Alexandria	Gillon	Gillon	Chris	Gillon
PM Server 1 4:30-10			Chris	Alexandria	Natolia	Natolia	
PM Server 2 4:30-10					Matthew	Matthew	
PM Server 3 4:30-10							
BUSSEY							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco San Juan	off	12 to 8	12 to 9	12 to 8:30	12 to 10	12 to 10	off
Francisco Molina	11 to 8	11 to 3	off	off	11 to 3	11 to 10 CI	11 to 9
Daniel	5 to 10	5 to 10	11 to 10	11 to 10 CI	5 to 10 CI	off	off
Ivon	off	off	3 to 10 CI	3 to 10	3 to 10	12 to 10	3 to 9 (book) CI
CLEANING	Cesar 8:30-11	Molina 8:30-11	Cesar 8:30-11	Cesar 8:30-11	Ivon 8:30-11	Cesar 8:30-11	Molina 8:30-11
CLEANING							Ivon 8:30-11
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Jayson	Mike	Mike	Mike	Pat	
Bouncer 2				Pat D.	Joyson	Iv	
Bouncer 3				John	Moti	Cory	
Bouncer 4							

22

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

2/9/15

2/10/15

2/11/15

2/12/15

2/13/15

2/14/15

2/15/15

EVENTS							
SPECIALS	\$7.50 or 6 Coors Light \$9.00 or 10 - 12pm Taco Tuesday 4 Tacos \$5.00 \$4 Coors Light Drafts & 62 Well Drinks from 10-12am	\$5 Coors Light Drafts and Bottles \$2.50 Well 10-12am	\$3.00 Monday through Thursday 10-12am Friday 10pm-12am	\$5.00 Monday through Thursday 10-12am Friday 10pm-12am	\$5.00 Monday through Thursday 10-12am Friday 10pm-12am	\$5.00 Monday through Thursday 10-12am Friday 10pm-12am	\$5.00 Monday through Thursday 10-12am Friday 10pm-12am
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
HAPPY HOUR	M-F: Happy Hour 4-6:30 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris H. 10:30 - 7pm	Mike B. 10:30 - 7pm	KK 10:30 - 7pm	Mike B. 10:30 - 7pm	Kim F. 11 - 7pm	Anthony 11 - 7pm	Anthony 11 - 7pm
Down-AM Bar 2							
Up-AM Bar 1							
Down-PM Bar 1	Sarah 7 - CI	Mike B. 7 - CI	Kim F. 7 - CI	Mike B. 7 - CI	Mike B. 5 - CI	Mike B. 5 - CI	Kim F. 7-10pm
Down-PM Bar 2			Robin 8 - CI	Kim F. 7 - CI	Kim F. 7 - CI	Sarah 6 - CI	
Down-PM Bar 3				Robin 8 - CI	Sarah 9 - CI	Kim F. 7 - CI	
Up				Sarah 9 - CI	Robin 7 - CI	KK 9 - CI	
Up				Chris H. 9 - CI	KK 9 - CI	Robin 9 - CI	
BARBACK					Marcus 9 - CI	Marcus 9 - CI	
Open Mer	Chris	Mike	KK	Mike	Kim F.	Anthony	Anthony
Close Mer	Sarah	Mike	Kim F.	Mike	Mike	Mike	Kim F.
Bar AM Mgr	Off	2-10	2-10	2-10	2-10	2-10	Off
Late Night Manager							
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11-14:30	Brenden	Brenden	Brenden	Brenden	Chris	Melissa	Melissa
AM Server 2 11-14:30							
PM Server 1 14:30-10	Matthew	Caroline	Alexandria	Gilbon	Gilbon	Chris	Gilbon
PM Server 2 14:30-10			Notolo	Alexandria	Notolo	Notolo	
PM Server 3 14:30-10				Alexandria	Alexandria	Matthew	
BUSSEY							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Paco Son Juan	off	12 to 8	12 to 9	12 to 8:30	12 to 10	12 to 10	off
Francisco Molina	11 to 5	11 to 3	off	off	11 to 5	11 to 10 CI	11 to 9
Daniel	5 to 10	5 to 10	11 to 10	11 to 10 CI	5 to 10 CI	off	off
Ivan	off	off	3 to 10 CI	3 to 10	3 to 10	12 to 10	3 to 9 (Cook CI)
CLEANING	Cesar 8:30-11	Machino 8:30-11	Cesar 8:30-11	Cesar 8:30-11	Ivan 8:30-11	Ivan 8:30-11	Machino 8:30-11
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Jayson	Mike	Mike	Mike	Pol	
Bouncer 2				Pol D.	Joyson	Tr	
Bouncer 3				John	Matt	Cory	
Bouncer 4							

24

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

	2/16/15	2/17/15	2/18/15	2/19/15	2/20/15	2/21/15	2/22/15
EVENTS	HOME BASKETBALL @7PM SETON HALL - Close upstairs bar at midnight					AWAY BASKETBALL @2:30PM MARQUETTE Nova Lacrosse vs. Penn State @ 1pm	
SPECIALS	\$1.60 oz Coors Light Pitchers \$3.00 Draft 10 - 12am	Tue-Tuesday 3 Tacos \$5. \$1 Coors Light Drafts & \$2 Well Drafts from 10-12am	\$3 Coors Light Drafts and Bodes \$2.50 Wells 10-12am	\$3 Blue montaguilla beer David Sam Adams Drafts all day Wells 10pm-12am	\$3 Tuesday Drafts and Bodes \$2.50 Wells 10-12am	\$3 Coors Light Drafts and Bodes \$2.50 Wells 10-12am	Bucket of 6 Coors Light Bottles \$15 \$3 Coors Light Drafts and Bodes
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
Happy Hour	M-F: Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris H. 10:30 - 7pm	Mike B. 10:30 - 7pm	KK. 10:30 - 7pm	Mike B. 10:30-7pm	Kim F. 11 - 7pm	Anthony 11 - 7 pm	Anthony 11 - 7pm
Up-AM Bar 1						Sarah 11 - 7 pm	
Down-PM Bar 1	Chris H. 7 - CI	Mike B. 7 - CI	Kim F. 7 - CI	Mike B. 7 - CI	Kim F. 7 - CI	Mike B. 5 - CI	Kim F. 7-11 pm
Down-PM Bar 2	Sarah 4 - CI			Kim F. 9 - CI	Robin 7 - CI	Kim F. 7 - CI	
Down-PM Bar 3	Kim F. 4 - CI			Robin 9 - CI	Sarah 9 - CI	Kim F. 9 - CI	
Up				Chris H. 9 - CI	KK 9 - CI	Robin 9 - CI	
BARBACK					Marcus 9 - CI	Anthony	Anthony
Open Mgr	Chris	Mike	KK	Mike	Kim F.	Mike	Kim F.
Cheer Mgr	Chris	Mike	Kim F.	Mike	Mike	Mike	Mike
Ryan Asst Mgr	3-11	OFF	2-10	2-10	2-10	2-10	OFF
Late Night Manager				Bob 9 - CI	Bob 9 - CI	Bob 9 - CI	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-4:30)	Bortender	Bortender	Bortender	Bortender	Chris	Melissa	Melissa
AM Server 2 (11-4:30)						Caroline	
PM Server 1 (4:30-10)	Matthew @ 4 pm	Gillon	Chris	Alexandro	Gillon	Chris	Gillon
PM Server 2 (4:30-10)	Alexandro @ 4	Noriko	Noriko	Noriko	Noriko	Noriko	
PM Server 3 (4:30-10)	Gillon @ 4			Matthew	Matthew	Matthew	
PM Server 4 (4:30-10)	Noriko @ 4						
BUSSEK							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Paco San Juan	off	12 to 8	12 to 9	12 to 8:30	12 to 10	12 to 10	off
Francisco Medina	11 to 10	11 to 3	off	off	11 to 5	11 to 10 CI	11 to 9
Daniel	12 to 10 CI	5 to 10	11 to 10	11 to 10 CI	5 to 10 CI	off	off
Non	2 to 10	off	3 to 10 CI	3 to 10	3 to 10	12 to 10	3 to 9 (cook) CI
CLEANING	Cesar 8:30-11	Morning 8:30-11	Cesar 8:30-11	Cesar 8:30-11	even 8:30-11	even 8:30-11	Morning 8:30-11
CLEANING							even 8:30-11
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Mike	Mike	Joyson	Mike	Pol	
Bouncer 2				Pol D.	Joe	Ty	
Bouncer 3				John	Mori	Cory	
Bouncer 4							

17

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

	2/23/15	2/24/16	2/25/15	2/26/15	2/27/15	2/28/15	3/1/15
EVENTS		HOME Basketball vs. Providence @ 7pm		Reservation Laura Stewart 10pm 6pm (tables 6 & 7) Reservation John Moyer @ 7:45pm (reserve tables 48 & 5)	VILANOVA MID-TERM & REAK BEGINS	Home Lacrosse vs. Delaware @ 12pm AWAY Basketball vs. Xavier @ 2pm	Shiny high school basketball @ 2:30-4pm, 2nd and 3rd floors - 50pp!
SPECIALS	\$7.50 oz Coors Light \$3 Coors Light Drafts \$3 Fireball 10 - 12am	Taco Tuesday 3 Tacos \$5 \$3 Coors Light Drafts & \$2 Well Drinks from 10-12am	\$3 Coors Light Drafts \$2 Fireball 10-12am	\$3 Blue mushroom/steak Tostitos/Santitas drinks all day wells 10pm-12am	\$3 Yuengling Drafts and Bottles \$2.50 Wells 10-12am	\$3 Coors Light Drafts and Bottles \$2.50 Wells 10-12am	Bucket of 6 Coors light bottles \$13 \$3 Coors Light Drafts and Bottles
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
Happy Hour	M-F Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BAR/BEER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris 8: 10:30-7pm	Mike 8: 10:30-7pm	KK 10:30-7pm	Mike B: 10:30-7pm	Kris F: 11-7pm	Chris H: 11-7pm	Jon 11-7pm
Down-AM Bar 2						Jon 11-5pm	Soren 1:30-7pm party-up
Up-AM Bar 1	Chris H: 7-11	Mike B: 7-11	Kris F: 7-11	Mike B: 7-11	Mike B: 5-11	Mike B: 5-11	Kris F: 7-11pm
Down-PM Bar 1		Soren 4-11		Kris F: 7-11	Kris F: 7-11	Kris F: 7-11	
Down-PM Bar 2		Robin 4-11		Soren 9-11	Soren 7-11	Robin 9-11	
Down-PM Bar 3				Robin 9-11	Robin 9-11	Soren 9-11	
Up				Chris H: 9-11			
BARBACK							
Open Mgr	Chris	Mike	Kris	Mike	Kris F	Chris	Jon
Closed Mgr	Chris	Mike	Kris F	Mike	Mike	Mike	Kris F
Non-Asst Mgr	OFF	J-H	2-10	2-10	1-9	2-10	OFF
Late Night Manager				Bob 9-11	Bob 9-11	Bob 9-11	
STAFFERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11-4:30	Barlander	Barlander	Barlander	Barlander	Chris	Melissa	Melissa
AM Server 2 11-4:30						Gilson	Nicola 1:30-7pm party
AM Server 3 11-4:30	Matthew	Cecilia	Matthew	Alexandra	Gilson	Alexandro	Gilson
PM Server 1 4:30-10		Chris		Gilson	Nicola	Alexandro	
PM Server 2 4:30-10		Gilson			Matthew	Matthew	
PM Server 3 4:30-10		Nicola					
BUSSEY							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Paco Fontauon	off	8:30 to 10:00 depol	12 to 9	12 to 8:30	12 to 10	12 to 10	off
Francisco Medina	11 to 8	11 to 3	off	off	11 to 5	11 to 10:10	11 to 9
Dore	3 to 10:10	5 to 10:10	11 to 10	11 to 10:10	5 to 10:10	off	off
WOM	3 to 10	3 to 10	3 to 10:10	3 to 10	3 to 10	12 to 10	3 to 9 Jacobo @
CLEANING	Cesar 8:30-11	Morino 8:30-11	Cesar 8:30-11	Cesar 8:30-11	WOM 8:30-11	WOM 8:30-11	Morino 8:30-11
CLEANING						Cesar 8:30-11	WOM 8:30-11
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Zayson	Mike	Mike	Mike	John	
Bouncer 2				Pat D	WOM 8:30-11	Joe	
Bouncer 3				John	WOM 8:30-11	W	
Bouncer 4							

25

22

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

	3/2/15	3/3/15	3/4/15	3/5/15	3/6/15	WEEK ENDING 3/7/15	3/8/15
EVENTS		Away Basketball vs. Creighton @ 9pm			VILLANOVA SWIM ALUMNI RECEPTION - Pikeville - 3rd floor - 50pm (7-10pm)	Away Lacrosse vs Penn @ 1pm Wells Fargo basketball vs. St. Johns @ 12pm	VILLANOVA resumes classes on Monday
SPECIALS	\$7.50 oz Gator Light Pickers \$3 Fried Chicken 10-12am	Taco Tuesday 3 Tacos \$5.50 \$1 Gator Light Drinks & \$2 Well Drinks from 10-12am	\$3 Gator Light Drinks and Bottles \$2.50 Wells 10-12am	\$3 blue moon/buckwheat/lemonade/sam Adams drinks all day wells 10pm-12am	\$3 Voodooing Drinks and Bottles \$2.50 Wells 10-12am	\$3 Gator Light Drinks and Bottles \$2.50 Wells 10-12am	Bucket of 6 Gator Light bottles \$12 \$3 Gator Light Drinks and Bottles
ALL DAY EVERYDAY	\$3 Gator Light Bottles & Drafts						
HAPPY HOUR	M-F Happy Hour 4-6:30 Domestic 52 Wells, 53 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down AM Bar 1	Chris H. 10:30-7pm	Mike B. 10:30-7pm	KK 10:30-7pm	Mike B. 10:30-7pm	Kris F. 11-7pm	Robin 11-7pm Jon 11-5pm	Jon 11-7pm
Up AM Bar 1							
Down PM Bar 1	Chris H. 7-10	Mike B. 7-10	Kris F. 7-10	Mike B. 7-10	Mike B. 5-10	Mike B. 5-10	Jon 7-10
Down PM Bar 2		Scott 7-10		Kris F. 7-10	Scott 5:30-10 party up	Kris F. 7-10	Scott 7-10
Down PM Bar 3				Scott 9-10	Kris F. 7-10	Robin 7-10	KK 9-10
Up				Robin 9-10	Robin 9-10	KK 9-10	Jon 9-10
Up							
BARBACK							
Open Mgr	Chris	Mike	K.K.	Mike	Kris F.	Robin	Jon
Close Mgr	Chris	Mike	Kris F.	Mike	Mike	Mike	Jon
Ryan Asst Mgr	OFF	3-11	2-10	2-10	3-11	12-8	OFF
Late Night Manager				Bob 9-10	Bob 9-10	OFF	OFF
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11-4:30	Bortender	Bortender	Bortender	Bortender	Chris	Melissa	Gillon
AM Server 2 11-4:30							
AM Server 3 11-4:30	Alexandria	Alexandria	Alexandria	Gillon	Chris	Gillon 2:30	Gillon
PM Server 1 4:30-10				Notolo	Ryan	Notolo 4:30	
PM Server 2 4:30-10					Notolo (party)	Chris 4:30	
PM Server 2 4:30-10							
BUSSES							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Mgr	off	12 to 8	12 to 9	12 to 8:30	12 to 10	12 to 10	off
FORNICO Mgr	11 to 8	11 to 3	off	off	11 to 5	11 to 10	11 to 9
Donel	5 to 10 cl	5 to 10 cl	11 to 10	11 to 10 cl	5 to 10 cl	off	off
WON		Off		3 to 10	3 to 10	12 to 10	3 to 9 (cool) cl
CLEANING	Cesar 8:30-11	Morino 8:30-11	Cesar 8:30-11	Cesar 8:30-11	WON 8:30-11	Cesar 8:30-11	Morino 8:30-11
CLEANING							WON 8:30-11
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Rayson	Pol	Mike	Joyson	Mike	
Bouncer 2					John	Pol	
Bouncer 3				Joyson		Corv	
Bouncer 4							

25

23

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

WEEK ENDING

3/9/15

3/10/15

3/11/15

3/12/15

3/13/15

3/14/15

3/15/15

EVENTS	Classes Resume	Lacrosse vs. Lehigh @ 7pm	MSG Big East Quarterfinals @ 12pm (Fox Sports 1)	MSG - Big East Semifinals @ 7pm	Lacrosse vs Maryland @ 1pm MSG Big East Finals @ 8pm	
SPECIALS	\$1.50 off Coors Light Pitchers	Taco Tuesday, 3 Tacos \$5.50 Coors Light Drafts & \$2 Well Drinks from 10-12am	\$3 Coors Light Drafts and Bottles \$2.50 Well 10-12pm	\$3 blue moon/guinness/era/budweiser/5pm+ draft all day	\$3 Yuengling Drafts and Bottles	\$3 Coors Light Drafts and Bottles
ALL DAY EVERYDAY	53 Coors Light Bottles & Drafts					Bucket of 6 Coors Light Bottles \$12 \$3 Coors Light Drafts and Bottles
HAPPY HOUR	M-F: Happy Hour 4-6, S2 Domestic, S2 Wells, S3 Craft and Imports and Wine					
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Down-AM Bar 2	Chris H. 12:30 - 2pm	Mike B. 10:30 - 7pm	EX - 10:30 - 7pm	Mike B. 11 - 7pm	Kris F. 11 - 7pm	Robert 11 - 7 pm
Up-AM Bar 1				Kris F. 11 - 7pm		Soroh 1 - 7pm
Down-PM Bar 1	Chris H. 7 - 9	Mike B. 7 - 9	Robert 7 - 9	Mike B. 7 - 9	Mike B. 5 - 9	Mike B. 5 - 9
Down-PM Bar 2		Soroh 5 - 9		Robert 9 - 9	Soroh 6:30 - 9	Robert 7 - 9
Down-PM Bar 3				Kris F. 7 - 9	Kris F. 7 - 9	Kris F. 7 - 9
UP				Kris F. 7 - 9	Robert 9 - 9	Soroh 7 - 9
UP				Chris 9 - 9	Jon 9 - 9	Kris F. 9 - 9
BARBACK				Mike B.	Robert 9 - 9	Robert 9 - 9
Open Mgr	Chris	Mike	Kris	Mike	Kris F.	Kris F.
Crew Mgr	Chris	Mike	Robert	Mike	Mike	Mike
New Asst Mgr	UP	3-11	2-10	11-7	3-11	3-10
Late Night Manager				Bob 9 - 9	Bob 9 - 9	Bob 9 - 9
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
AM Server 1 11-14:30	Robert	Robert	Robert	Chris	Chris	Matthew
AM Server 2 11-14:30				Robert		Caroline
AM Server 3 11-14:30	Gilbert	Caroline	Chris	Chris	Nicholas	Gilbert
PM Server 1 14:30-10		Robert		Nicholas	Gilbert	Nicholas
PM Server 2 14:30-10				Chris	Chris	Caroline
PM Server 2 14:30-10						
BUSSEY						
FOOD	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Foco Son Juan	off	12 to 8	12 to 9	12 to 8:30	12 to 10	12 to 10
Fredisco Mchnc	11 to 8	11 to 5	off	off	11 to 5	11 to 9
Daniel	5 to 10	5 to 10	11 to 10	11 to 10	5 to 10	off
WON		ON	2 to 8	12 to 10	3 to 10	12 to 10
CLEANING	Cesar 8:30-11	Monica 8:30-11	Cesar 8:30-11	Cesar 8:30-11	Wen 8:30-11	Cesar 8:30-11
CLEANING						
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Bouncer 1		Jayson	Mike	Wen	Wen	Joe
Bouncer 2				John	Joe	John
Bouncer 3				Pat	Wen	Carly
Bouncer 4						

310 Big East

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

WEEK ENDING

	3/16/15	3/17/15	3/18/15	3/19/15	3/20/15	3/21/15	3/22/15
EVENTS		+ St. Patrick's Day +		1 Villanova (March Madness) vs. 16 Lafayette @ 6:50pm			
SPECIALS	\$7.50 oz Coors Light Pilsners	Taco Tuesday 3 Taps \$5 \$1 Coors Light Drafts & \$2 Well Drinks from 10-12am	\$5 Coors Light Drafts and Bottles \$2.50 Wells 10-12am	\$3 Mike non-alcoholic items Monday-Saturday all day	\$5 Yuengling Drafts and Bottles	\$5 Coors Light Drafts and Bottles	Bucket of 6 Coors Light Bottles \$15 Coors Light Drafts and Bottles
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
HAPPY HOUR	M-F Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SAURDAY	SUNDAY
Down-AM Bar 1	Chris H. 10:30 - 7pm	Mike B. 11 - 3pm	KK 10:30 - 7pm	Mike B. 10:30 - 7pm	Kris F. 11 - 7pm	Robin 11 - 7 pm	Jon 11 - 9pm CI
Down-AM Bar 2							
Up-AM Bar 1		Mike B. 3 - CI	Kris F. 7 - CI	Mike B. 7 - CI	Mike B. 5 - CI	Mike B. 5 - CI	
Down-PM Bar 1	Jon 7 - CI	Sarah 3 - CI		Robin 5 - CI	Sarah 7 - CI	Robin 7 - CI	
Down-PM Bar 2		Kris F. 3 - CI		Sarah 5 - CI	Kris F. 7 - CI	Kris F. 7 - CI	
Down-PM Bar 3		Robin 5 - CI		Kris F. 5 - CI	Robin 9 - CI	Sarah 9 - CI	
Up		Jon 7 - CI		Chris 9 - CI	Jon 9 - CI	KK 9 - CI	
BARBACK		Marcus @ 8pm			Marcus 9 - CI	Marcus 9 - CI	
Open Mgr	Chris	Mike	KK	Mike	Kris F.	Robin	Jon
Close Mgr	Jon	Mike	Kris F.	Mike	Mike	Mike	Jon
Ruan Asst Mgr	OFF	2-10	2-10	2-10	2-10	2-10	OFF
Late Night Manager							
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SAURDAY	SUNDAY
AM Server 1 (11-4:30)	Portender	Alexandro 11-3pm	Portender	Portender	Chris	Natolio	Melissa
AM Server 2 (11-4:30)							
AM Server 3 (11-4:30)	Gillon	Caroline 3-10	Chris	Gillon	Natolio	Gillon	Gillon
PM Server 1 (4:30-10)		Gillon 3-10		Natolio	Gillon	Natolio	
PM Server 2 (4:30-10)		Alexandro 3-10		Alexandro	Chris	Alexandro	
PM Server 3 (4:30-10)		Ryan expedite		Ryan expedite			
BUSSEY							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SAURDAY	SUNDAY
Poco San Juan	off	12 to 10	12 to 9	12 to 8:30	12 to 10	12 to 10	off
Francisco Moreno	11 to 8	11 to 10	off	off	11 to 5	11 to 10 CI	11 to 9
Daniel	5 to 10 CI	3 to 10 CI	11 to 10 CI	11 to 10 CI	5 to 10 CI	off	off
non	Off	Off	3 to 8	12 to 10	3 to 10	12 to 10	3 to 9 (cook) CI
CLEANING	Cesar 8:30-11	Moreno 8:30-11	Cesar 8:30-11	Cesar 8:30-11	non 8:30-11	Cesar 8:30-11	non 8:30-11
CLEANING							
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SAURDAY	SUNDAY
Bouncer 1		Bob @ 4	Mike	Moreno	More	More	
Bouncer 2		Mike @ 5		John	Mike	John	
Bouncer 3		Slyve @ 6		Pat	Nigel	Cory	
Bouncer 4		Joe @ 7					

38 March

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

	3/23/15	3/24/15	3/25/15	3/26/15	3/27/15	3/28/15	3/29/15
EVENTS						Home Lacrosse vs. Marquette @ 1pm	
SPECIALS	\$1.00 oz Coors Light Pitchers	Taco Tuesday 5 Tacos \$5.00 \$3 Coors Light Drafts & \$2 Well Drinks from 10-12am	\$3 Coors Light Drafts and Bottles \$2.50 Wells 10-12am	\$5 blue moon/quintanilla/moradas/santitas drinks all day	\$3 Yuengling Drafts and Bottles	\$3 Coors Light Drafts and Bottles	Bucket of 6 Coors Light bottles \$13 \$3 Coors Light Drafts and Bottles
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
Hoppy Hour	M-F: Hoppy Hour 4-6: \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris H. 10:30 - 7pm	Mike B. 11 - 3pm	KK 10:30 - 7pm	Mike B. 10:30 - 7pm	Kris F. 11 - 7pm	Robin 11 - 7 pm	Jon 11 - 8pm CI
Up-AM Bar 1							
Down-PM Bar 1	Chris H. 7 - CI	Mike B. 3 - CI	Kris F. 7 - CI	Mike B. 7 - CI	Mike B. 5 - CI	Mike B. 5 - CI	Mike B. 5 - CI
Down-PM Bar 2				Kris F. 5 - CI up	Sarah 7 - CI up	Robin 7 - CI	Robin 7 - CI
Down-PM Bar 3				Sarah 7 - CI	Kris F. 7 - CI	Jon 7 - CI up	Sarah 9 - CI
Up				Robin 9 - CI	Robin 9 - CI up	Kris 9 - CI	Kris 9 - CI up
Up				Chris 9 - CI up	KK 9 - CI	Marcus 9 - CI	Marcus 9 - CI
BARBACK							
Open Bar	Chris	Mike	KK	Mike	Kris F.	Robin	Jon
Close Bar	Chris	Mike	Kris F.	Mike	Mike	Mike	Mike
My last Alibi	OT	2-10	2-10	2-10	2-10	2-10	OT
Lead Night Manager				Bob 9 - CI	Bob 9 - CI	OT	OT
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11-430	Bartender	Bartender	Bartender	Bartender	Chris	Natolia	Melissa
AM Server 2 11-430							
PM Server 1 1430-101	Natolia	Gillon	Alexandro	Gillon	Natolia	Gillon	Gillon
PM Server 2 1430-101				Alexandra	Gillon	Natolia	
PM Server 2 1430-101					Chris	Chris	
BUSSEY							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juan	off	12 to 10	12 to 8	12 to 8:30	12 to 10	12 to 10	off
Enrique Moring	11 to 8	11 to 3	off	off	11 to 5	11 to 10 CI	11 to 8
Daniel	5 to 10 CI	5 to 10 CI	11 to 10 CI	11 to 10 CI	5 to 10 CI	off	off
Iron	Off	Off	3 to 8	3 to 10	3 to 10	12 to 10	3 to 6 Food CI
CLEANING	Cesar 830-11	Morning 830-11	Cesar 830-11	Cesar 830-11	Ivan 830-11	Ivan 830-11	Morning 830-11
CLEANING						Cesar 830-11	Jon 830-11
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Jay	Joe	Mike	Mari	Joe	
Bouncer 2				Pol	Mario	Mike	
Bouncer 3				Jon	Joy	Nigel	
Bouncer 4						Cory	

25

KELLY'S SCHEDULE

no shift changes without manager approvals prior to change

	3/30/15	3/31/15	4/1/15	4/2/15	4/3/15	4/4/15	4/5/15
EVENTS				Nova on Easter Break until April 7		March Madness	HAPPY EASTER!! Closed Kelly's
SPECIALS	\$7.00 of Coors Light Pilsener	Taco Tuesday 3 Tacos \$5 All Coors Light Drafts & \$2 Well Drinks from 10-12am	\$3 Coors Light Drafts and Bottles \$2.50 Wells 10-12am	\$2 Blue moon Aqueduct revelations Adams drafts all day	\$3 Yumpling Drafts and Bottles	\$3 Coors Light Drafts and Bottles	Budget of 5 Coors light bottles \$15 Coors light Drafts and Bottles
ALL DAY EVERYDAY	\$3 Coors Light Bottles & Drafts						
HAPPY HOUR	M-F: Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
BARTENDERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1	Chris H. 10:30-7pm	Mike B. 11-7pm	EX - 10:30-7pm	Mike B. 10:30-7pm	Kris F. 11-7pm	Robin 11-7pm	
Down-AM Bar 2							
Up-AM Bar 1	Jon 7-10	Mike B. 7-10	Robin 7-10	Mike B. 7-10	Mike B. 5-10	Kris F. 5-10	
Down-PM Bar 1		Kris F. 7-10		Scott 5-10	Robin 7-10	Jon 7-10	
Down-PM Bar 2					Kris F. 7-10	Scott 7-10	
Down-PM Bar 3							
Up				Up closed			
Up				No DJ	Up closed - No DJ	Up closed - No DJ	
BARBACK							
Open Mgr	Chris	Mike	Kris	Mike	Kris F.	Robin	
Close Mgr	Jon	Mike	Robin	Mike	Mike	Kris	
Room Asst Mgr	OFF	12-10	2-12	4-12	2-10		OFF
Late Night Manager				Bob 9-11	Bob 9-11	Bob 9-11	
SERVERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11-4:30	Bartender	Bartender	Bartender	Bartender	Chris	Melissa	
AM Server 2 11-4:30							
AM Server 3 11-4:30	Natasha	Caroline	Alexandra	Gillian	Natasha	Gillian	
PM Server 1 4:30-10				Alexandra	Chris	Natasha	
PM Server 2 4:30-10							
PM Server 3 4:30-10							
BUSSES							
KITCHEN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son Juan	off	12 to 8	11 to 8	11 to 8:30	off	off	
Francisco Molina	11 to 8	11 to 5	off	off	11 to 5	11 to 10	
Dorel	5 to 10 ci	5 to 10 ci	1 to 10 ci	3 to 10 ci	5 to 10 ci	off	
Iron		Off			3 to 10 ci	3 to 10 ci	
CLEANING	Cesar 8:30-11	Morning 8:30-11	Cesar 8:30-11	Cesar 8:30-11	Mar 8:30-11	Cesar 8:30-11	Morning 8:30-11
CLEANING							
OTHER	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1		Jay		Ryan	Joe	Joe	
Bouncer 2							
Bouncer 3							
Bouncer 4							

22

KELLY'S SCHEDULE

no shift changes without manager approval prior to change

		4/13/15	4/14/15	4/15/15	4/16/15	4/17/15	4/18/15	4/19/15
EVENTS							Home Lacrosse vs. St John's @ 7pm	
SPECIALS		\$7.00 oz Coors Light Pitchers	Taco Tuesday & Tacos \$5.00 Coors Light Drafts & \$2.00 Well Drinks from 10-12am	\$3 Coors Light Drafts and \$2.00 Well Drinks from 10-12am	\$3 Blue Moon/Equus/elegra/Sm Adam's drafts all day	\$1 Twisting Drafts and \$3 Coors Light Drafts and \$2.00 Well Drinks	\$3 Coors Light Drafts and \$2.00 Well Drinks	Bluebird & Coors Light Drafts \$3.00 Coors Light Drafts and \$2.00 Well Drinks
ALL DAY EVERYDAY		\$3 Coors Light Bottles & Drafts						
Happy Hour		M-F, Happy Hour 4-6, \$2 Domestic, \$2 Well, \$3 Craft and Imports and Wine						
BARTENDERS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 1		Chris H. 10:30 - 7pm	Mike B. 11 - 7pm	KK 10:30 - 7pm	Mike B. 10:30 - 7pm	Kris F. 11 - 7pm	Sarah 11 - 7 pm	Jon 11 - 8pm Close at 8pm
Up-AM Bar 1								
Down-PM Bar 1		Chris H. 7 - CI	Mike B. 7 - CI	Kris F. 7 - CI	Mike B. 7 - CI	Mike B. 5 - CI	Mike B. 5 - CI	Mike B. 5 - CI
Down-PM Bar 2				Robin 5 - CI up party	Sarah 5 - CI up	Troy 7 - CI	Kris F. 7 - CI	Kris F. 7 - CI
Down-PM Bar 3					Robin 7 - CI	Kris F. 7 - CI up	Sarah 7 - CI up	Sarah 7 - CI up
Up					Kris F. 9 - CI	Sarah 9 - CI	KK 9 - CI up	KK 9 - CI up
Up					Chris 9 - CI up	Robin 9 - CI up	Robin 9 - CI	Robin 9 - CI
BARBACK								
Open Mgr		Chris	Mike	KK	Mike	Kris F.	Sarah	Jon
Close Mgr		Chris	Mike	Kris F.	Mike	Mike	Mike	Jon
Ryan Asst Mgr		OFF	2-10	2-10	2-10	2-10	2-10	OFF
Lore Nighl Manager					OFF	Bob 9 - CI	Bob 9 - CI	
SERVERS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 11-430		Borlender	Borlender	Borlender	Borlender	Chris	Melissa	Melissa
AM Server 2 11-430							Corinne	
PM Server 1 1430-10		Alexandra	Natolo	Chris	Alexandro	Chris	Gillon	Gillon
PM Server 2 1430-10					Gillon	Natolo	Natolo	
PM Server 3 1430-10						Gillon	Corinne	
BUSSE								
KITCHEN		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Paco Son Juan		off	12 to 8	12 to 8	12 to 8:30	12 to 10 cl	12 to 10	off
Francisco Molina		11 to 3	11 to 5	off	off	11 to 5	11 to 10	11 to 8
Daniel		3 to 10 cl	5 to 10 cl	11 to 10 cl	11 to 10 cl	5 to 10	off	all
Ivon			off	3 to 8	3 to 10	3 to 10	12 to 10 cl	3 to 5 [cook] cl
CLEANING		Cesar 830-11	Morning 830-11	Cesar 830-11	Cesar 830-11	Ivon 830-11	Cesar 830-11	Maria 830-11
OTHER		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1					Joe	Mike	Joe	
Bouncer 2					Mike	Mike	Cori	
Bouncer 3					Pol	Moff	Nigel	
Bouncer 4					John			

260 Draft 7

KELLY'S SCHEDULE

no shift changes without an advance approval to shift change

WEEK ENDING

4/19/15

		6/13/15	6/14/15	6/15/15	6/16/15	6/17/15	6/18/15	6/19/15
EVENTS							Home Lacrosse vs. St John's @ 7pm	
SPECIALS		ST 60 or Coors Light Fishes	Taco Tuesday 3 Jacos \$5 \$1 Coors Light Drafts & \$2 Wet/Dried from 10-12am	\$3 Coors Light Drafts and Bottle \$2.50 Waffle 10-12am	\$3 blue moon/agave/wier nevada/san adams drafts all day	\$3 Munging Drafts and Bottles	\$3 Coors Light Drafts and Bottles	Bucket of 6 Coors Light bottles \$12 Coors Light Drafts and Bottles
ALL DAY EVERYDAY		M-F: Happy Hour 4-6, \$2 Domestic, \$2 Wells, \$3 Craft and Imports and Wine						
Happy Hour	BARBERS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Down-AM Bar 2	Chris H. 10:30-7pm		Joe B. 11-7pm	KK - 10:30-7pm	Joe B. 10:30-7pm	Kris F. 11-7pm	Robin 11-7 pm Ryan 11-7 pm	Jon 11-8pm Close at 8pm
Up-AM Bar 1								
Down-PM Bar 1	Chris H. 7-CI	Robin 7-CI	Kris F. 7-CI	Robin 7-CI	Robin 7-CI	Robin S-CI	Kris F. 5-CI Sarah 7-CI	Kris F. 5-CI Robin 7-CI
Down-PM Bar 2					Kris F. 5-CI Roy 7-CI	Sarah 7-CI	Robin 7-CI	
Down-PM Bar 3					Chris 9-CI	Kris 9-CI	Leo 9-CI up	
Up					Scrach 9-CI up	Jon 9-CI up	Chris H. 9-CI	
UP								
BARBACK								
Open Mgr	Chris	Joe B.	KK	Joe B.	Kris F.	Robin	Jon	
Close Mgr	Chris	Robin	Kris F.	Robin	Kris F.	Kris F.	Jon	
Ryan Asst Mgr	OFF	2-10	2-10	6pm-2am	2-10	2-10	OFF	
Late Night Manager				Rob 9-CI		Rob 9-CI		
SERVERS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
AM Server 1 (11-4:30)	Bortender	Bortender	Bortender	Bortender	Bortender	Jim M. (Ironing)	Caroline	Melissa
AM Server 2 (11-4:30)						Gillon		Melissa
AM Server 3 (11-4:30)								
PM Server 1 (4:30-10)	Gillon	Ryon	Chris	Nolito	Chris	Gillon	Gillon	Gillon
PM Server 2 (4:30-10)			Chesed	Gillon	Nolito	Nolito	Caroline	
PM Server 3 (4:30-10)					Jim M. (Ironing)	Caroline		
BUSSER								
KITCHEN		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Poco Son, Jaron	off	12 to 8	12 to 8	12 to 8	12 to 8:30	12 to 10 CI	12 to 10	off
Francisco Madrig	11 to 8	11 to 5	off	off	off	11 to 5	11 to 10	11 to 8
Doner	3 to 10 CI	5 to 10 CI	11 to 10 CI	11 to 10 CI	11 to 10 CI	3 to 10	off	off
WON		Off	3 to 5	3 to 10	3 to 10	3 to 10	12 to 10 CI	3 to 6 (Good CI)
CLEANING	Cesar 8:30-11	MADRID 8:30-11	Cesar 8:30-11	Cesar 8:30-11	Cesar 8:30-11	RYON 8:30-11	George 8:30-11	MADRID 8:30-11
CLEANING							RYON 8:30-11	RYON 8:30-11
OTHER		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Bouncer 1	Jayson	Joe	John	Mike	Joe	Mike	Ngel	
Bouncer 2			Mike	Joe	Cory			
Bouncer 3			Pol	Matt				
Bouncer 4				Mike				

95

38 Mike Evans
Trainers

Mike Beverino	Mgr / BARTENDER	KELLY'S	TUE DBL, Thurs dbl, Fri and sat NIGHTS	can not work May 18th
Kathleen Kerner	BARTENDER	KELLY'S	Just Wed day or Friday night or Sat night	can not work May 30th
Sarah Clark	BARTENDER	Kellys / Floater	only Friday evenings, Saturday and Sunday anytime (Fri can not work May 30th)	Not May 1, 10, 17
Meissa Scheffer	BARTENDER	KELLY'S	NO Monday, Wed or Sunday	Fridays after 9 and Saturday shifts
Kris Flood	BARTENDER	KELLY'S	can work Sunday June 8, 29, May 17, May 18	only Thursday after 8, anytime Friday, sat and Sunday
Robin Helms	BARTENDER	KELLY'S	no more weeknights after May 19th	
Brett Waddington	BARTENDER	KELLY'S		
Joe Ferry	BARTENDER	KELLY'S	can not work sat night May 17	can not work sat night May 17
Chris Healy	Server	KELLY'S	Full Time job at Dupont	can not work May 17
Melissa McKenna (MCK)	New hire server	TBD		NOT MAY 12-JUNE 3RD
Paige	Server	Kellys	can work Monday, Wed and sat day shifts only	MAY 8PM, MAY 14PM, MAY 15PM
Megan Neil	Server	Kellys	only fri, sat or sun any shift starting Jan 31, 2014	
Aladin (Alaa e Ghourab)	Server	Kellys	only TUESDAYS	
Gillian	SERVER	KELLY'S		
Griffin	SERVER	KELLY'S		
Nicole Donahue	SERVER	KELLY'S		
Patrick Piroty	BOUNCER	KELLY'S	only available Thursday, Friday and Saturday	get him on schedule FRIDAY AND SATURDAY
Steve Gallagher	BOUNCER	Kellys	Tuesday and wed nights only	
Mark Evans	BOUNCER	Kellys	any night	
Mark Sternberg	BOUNCER	Basketball coach from harcum		
Jim Rice	BOUNCER / Barback	Melissa boyfriend		
Paco	KITCHEN	KELLY'S	OFF SUNDAY/MONDAY	
Francisco	KITCHEN	KELLY'S		
Daniel	KITCHEN	KELLY'S		
Employee	Role	RESTAURANT	CANNOT WORK	T/O REQUESTS

May 9, 2014

PS1

615a

Case No.

Official Exhibit No.

0104-162385

E 2

Disposition: Identified ☒Rejected ☐

IN THE OFFICE OF:

Kelly's 127

Date: 8/24/16

Witness:

Reporter:

No. Pages:

2

P 2

#

Mike Bevevino	Mgr / BARTENDER	KELLY'S	TUE DB, Thurs db, Fri and sat NIGHTS	
Kathleen Kerner	BARTENDER	KELLY'S	Just Wed day or Friday night or Sat night	Off 1/10
Kris Flood	BARTENDER	ALHOUSE		
Sarah Clark	BARTENDER	KELLY'S	ONLY Thurs Friday evenings, Saturday and Sunday anytime (Thurs Fri & Sat @ 8, Sun @ flips)	Off 3/6-8, 1/7-14
Kris Flood	BARTENDER	KELLY'S	Fridays after 9 and Saturday shifts	
Robin Helms	BARTENDER	KELLY'S	only Thur after 8, anytime Fri, sat and Sun	
Joe Ferry	BARTENDER	KELLY'S	Open Avail	
Chris Healy	SERVER/BARTENDER	KELLY'S	Open Avail	Off Jan 5
Anthony Gigantino	BARTENDER	KELLY'S	more shifts with proper notice	
Melissa McKenna (MCK)	SERVER	KELLY'S	Full Time job at Dupont	
Gillian Daley	SERVER	KELLY'S	Open Availability	Off January 5, 15-20
Alexandra Lewis	SERVER	KELLY'S		
Joe Bohannon	BOUNCER/Bartender	KELLY'S		
Patrick Priority	BOUNCER	KELLY'S	only available Thursday, Friday and Saturday	get him on schedule FRIDAY AND SATURDAY
Pat Durnard	BOUNCER	KELLY'S		
Tybie Neal	BOUNCER	KELLY'S		
Jayson Pappa	BOUNCER	KELLY'S		
Michael Bailey	BOUNCER	KELLY'S		
Tony Richardson	BOUNCER	KELLY'S		
Brendan Hughes	BOUNCER	KELLY'S		
Corey Sutton	BOUNCER	KELLY'S		
Bob Stedford	HEAD BOUNCER/Bartender	KELLY'S	Thurs-Fri-Sat @ Kelly's 9 - Close	
Paco	KITCHEN	KELLY'S	OFF SUNDAY/MONDAY	
Francisco	KITCHEN	KELLY'S		
Daniel	KITCHEN	KELLY'S		

Jan 2, 2015

p32

From: **Angie Mitchell** angie.mitchell1313@gmail.com
Subject: Quitting
Date: November 6, 2014 at 6:26 PM
To: nicoled0725@icloud.com
Cc: angie.mitchell1313@gmail.com

Hey Nicole I am very sorry to hear you are leaving us. You were one of our best servers and have been a real asset. I took a lot out of what you said last night and have been speaking with the staff to 1) try to understand everyone's issues that I may not be aware of and 2) let everyone know how important they are in our establishment and had intentions on this discussion tomorrow when you were next scheduled. Your leaving with no notice is a complete surprise. Good luck with your endeavors and I wish this could have ended on better terms.

Thanks, Angie

Case No.	Official Exhibit No.
04-CA-K2385	ES
Disposition:	Identified <input checked="" type="checkbox"/>
Rejected	Received <input checked="" type="checkbox"/>
IN THE MATTER OF:	
Kelly S. TSP	
Date:	Witness: Reporter:
8/24/16	MMK
No. Pages:	Packet

From: Brian Feleccia bfeleccia@gmail.com
Subject: Flips Request For Time Off
Date: May 1, 2014 at 10:22 PM
To: Gene Mitchell genemitchell13@gmail.com, Angella Mitchell angie.mitchell131@gmail.com
Cc: Brian Feleccia bfeleccia@gmail.com

Hi Gene and Angie,

It's been a great school year working for you guys and with the summer approaching I have a handful of requests for time off as I will be working various weddings and events along with vacationing with old friends.

Here are the dates:

Thurs May 22nd - Sunday May 25th

Thurs May 29th - Sunday June 1st

Sat June 14th

Thurs June 19th

Sat June 28th - Sun 29th

Thank you very much,

Brian Feleccia

From: Gene Mitchell genemitchell13@gmail.com
Subject: RE: Scheduling
Date: May 2, 2014 at 7:51 AM
To: Melissa McCarthy melissamccarthy91@hotmail.com
Cc: Angelia Mitchell angie.mitchell1313@gmail.com

Hi Melissa

That sounds like a great opportunity.

Will take you off for next Sunday that we had you on and will check back for parties to see if it works for your schedule.

Gene

From: Melissa McCarthy [<mailto:melissamccarthy91@hotmail.com>]
Sent: Thursday, May 01, 2014 7:41 PM
To: genemitchell13@gmail.com
Subject: Scheduling

Gene,

I hope both you and Angie are doing well! Yesterday I received a phone call that I secured a full time long term substitute teaching position starting May 7 through June 20 at Valley Forge Middle School. Unfortunately, this full time position will restrict my ability to work at Flips even further. Until the end of the school year, I will not be able to work regular 5-6 hour shifts.

However, I would still love to continue to help out during the crazy graduation season with weekend parties (Saturday afternoons and nights/Sunday afternoons)! I know how crazy it can get...

I will still work this Sunday's shift that I am scheduled for. After June 20 I hope to resume my Summer shifts (3-4 times a week). Thank you for understanding during this very exciting time for me!

- Melissa

From: Robert Stedeford bstedeford@gmail.com
Subject: Bouncers for grad weekend.
Date: May 2, 2014 at 2:24 PM
To: Gene Mitchell genemitchell13@gmail.com, Angelia Mitchell angie_mitchell1313@gmail.com

I spoke with Pat and we both think that on that Friday and Saturday of graduation weekend we could use another bouncer to make five bouncers at Kelly's. Is that something you would be okay with? And we can always cut a guy if they are slow.

Bob

From: **Angella Mitchell** angella.mitchell1313@gmail.com
 Subject: Schedules Cindo de Mayo thru May 11

Date: May 2, 2014 at 5:57 PM

To: angella.mitchell1313@gmail.com, gennamitchell13@gmail.com, mbevevine@gmail.com, tinydancer013@yahoo.com, ceser.lajardo@hotmail.com, ppriory@gmail.com, chris.healy38@gmail.com, jillannnn@me.com, uhop13@aol.com, eaglemri@gmail.com, tarynnaney@hotmail.com, philly_jay2006@yahoo.com, bstedford@gmail.com, gypay1990@vizon.net, melissamccarthy01@hotmail.com, mckica14@gmail.com, xohaney04@gmail.com, puas01@villanova.edu, clarksn148@yahoo.com, chyoung77@yahoo.com, tkrides55@msn.com, erinsheron@yahoo.com, cavemanjoe81@yahoo.com, bfoleccia@gmail.com, breggolden22@gmail.com, usafaa@hotmail.com, **Caroline Stanley** estanie1@villanova.edu, **Steve Gallagher** steve0797@yahoo.com, mneill02@villanova.edu, missa0602@aim.com, mstormberg35@gmail.com, **Melissa Schaeffer** melissa.schaeffer.prime@gmail.com, nicenates02@gmail.com, **Todd Butler** tbutler7700@yahoo.com, col.magee@gmail.com, nicopp004@live.kutztown.edu, lilmami1105@gmail.com, **Mason Kardon** masonkardon@gmail.com, stingrayed22@aol.com, **Nicole Donohue** nicole0725@hotmail.com, **Griffin McAllister** griffinmcallister80@gmail.com, **Gillian Daley** glin3590@hotmail.com, **Robin Helms** robinah1@yahoo.com, tyhondan@gmail.com, Bailey_mike31@yahoo.com, **Rosie Coogan** rosiecoogan@gmail.com, **Paco** dhtedonne@aol.com, pancho-23@live.com, cs3234@scout24.edu, **Kristin Lang** Kristin0618@gmail.com, brett.waddington10@gmail.com

Hello everyone,

Attached are the schedules for May 5th thru May 11th. Not a lot going on next week but a few happy hours have come up.

Flips in the Lounge Wednesday 7pm-9pm we have a rescheduled happy hour for Lincoln Financial for a fundraising meeting. They are pre-ordering menu apps and I will give that order direct to those working this event. It is all single check and is a good easy group.

Flips in the Lounge Saturday 5pm-7pm we have a small graduation party for 40 people. They are ordering from the menu but they will not all be arriving at once, they will flow in and out during the 2 hour duration so should be easy to order and prepare the food. The night will end with a live performance by the popular band Concrete Charlie!

Kelly's in the 3rd floor we are hosting the Rosemont College Senior Happy Hour on Thursday night 5pm-7pm. The contract for this is attached. Those scheduled PLEASE review the contract in detail. There are a lot of details that are included that without reading the writeup you will execute as needed. This is their third year with us so please make sure they are shown hospitality!

Also a note will be coming out for a Kelly's Staff Meeting on Sunday May 18th at 11am. More details will be coming but it is important that you attend. For anyone unable to attend a follow up meeting will be scheduled.

Thanks!

From: missa8602@aol.com
Subject: Days Off
Date: May 5, 2014 at 9:54 AM
To: genemitchell13@gmail.com, erie.nichols13@gmail.com

Hi Gene and Angie,

I just wanted to let you know I will be out of town May 17th and am unable to work that day.

Thanks,
Melissa

From: Coppa, Maria <mcopp804@live.kutztown.edu>
Subject: RE: Schedule
Date: May 7, 2014 at 1:08 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>

Yup sounds good! Thank you

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
Sent: Wednesday, May 07, 2014 10:46 AM
To: Coppa, Maria
Subject: Re: Schedule

That's terrific! So next week is Villanova's graduation, so I'll put you in if you don't mind. It will be a very busy weekend and would be great to have your personality and expertise. So anytime Wed May 14th and on correct?

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036

P

Please consider the environment - Do you really need to print this email?

From: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Date: Wednesday, May 7, 2014 10:35 AM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: RE: Schedule

Hi Angie!

I was actually just about to contact you or Gene. I plan to head home this Sunday/Monday and I'd love to start working right away. I should be around all summer and as of now I'm available whenever.

Although to be honest I haven't thought much further than finals week so I will let you know if that changes

Thanks, Maria

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
Sent: Wednesday, May 07, 2014 9:05 AM
To: Coppa, Maria
Cc: Gene Mitchell
Subject: Re: Schedule

Good morning Maria,

Not sure Gene has reached out to you but wanted to find out your summer and May plans. If you are looking to pick up some shifts we have a lot coming up next week. Let me know!

Thanks!

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036

P Please consider the environment - Do you really need to print this email?

From: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Date: Monday, December 16, 2013 3:59 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: RE: Schedule

Yes for sure! and no unfortunately I'll be in New York
Thanks

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
Sent: Monday, December 16, 2013 11:53 AM
To: genemitchell13@gmail.com; Coppa, Maria
Subject: Re: Schedule

Hello Maria,

Could you pick up a Wed pm serving shift at Kelly's? I am down to a single server so you would be Audrey. Let me know. And just to confirm, you cannot work a Saturday 1-9 shift at Flips 12/21 correct?

Angie Mitchell
Cell 484-620-0376
Fax 610-649-3914

P Please consider the environment - Do you really need to print this email?

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
Date: Monday, December 16, 2013 7:35 AM
To: <genemitchell13@gmail.com>, "Coppa, Maria" <mcopp804@live.kutztown.edu>
Subject: Re: Schedule

Yes I added her. They were just sent out.

Angie Mitchell
Cell 484-620-0376
Fax 610-649-3914

P

Please consider the environment - Do you really need to print this email?

From: <genemitchell13@gmail.com>
Reply-To: <genemitchell13@gmail.com>
Date: Monday, December 16, 2013 7:35 AM
To: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Cc: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: Re: Schedule

Maria

Not yet. They will go out this morning.

Gene

Sent via BlackBerry from T-Mobile

From: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Date: Mon, 16 Dec 2013 03:13:24 +0000
To: Gene Mitchell <genemitchell13@gmail.com>
Subject: Schedule

Hi Gene, did the schedules go out for this week yet?

From: Sarah Clark charset=us-ascii clarkent@uts.yanbo.com
Subject: Sarah Kelly's
Date: May 7, 2014 at 2:25 PM
To: gander@lell13@gmail.com
Cc: bogle.mitchell1313@gmail.com, kristin0014@gmail.com

Hi guys--

Just wanted to run it by you that I work for Bri G. tomorrow morning and Brett at night tomorrow night--I tried stealing more shifts during the week but no one was budging!

I told Kristin to go ahead and load me up for the month of May!!

The only request I have for this month is May 31st for my sister's graduation, then the following Sunday June 1st I just got an invite for a bridal shower I'd like to attend,

I just spoke to HR about my internship, and my first day is Wednesday June 4th (!!). So going forward until the middle of August, my availability will remain the same: Friday nights, anything on Sunday, and Sunday mornings.

Thank you so much for working with me on this! I have a few more dates in mind that I'd like to request off over the course of the summer, but I'll wait till that time comes a little closer. I appreciate your flexibility!! I know I've been all over the place this past month.

Please let me know if you have any questions!! And thanks again!

Sarah

Sent from my iPhone

From: Paige Castle charset=us-ascii pcastl01@villanova.edu
Subject: Re: Kelly's
Date: May 7, 2014 at 2:55 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>

No, next week is graduation week, so I'll be part of all of that.

Paige

| On May 7, 2014, at 2:52 PM, Angelia Mitchell <angie.mitchell1313@gmail.com> wrote:

| So you will not be able to work at all next week?

| Angie Mitchell

| Cell 484-620-0376

| Fax 484-840-5036

| P Please consider the environment - Do you really need to print this email?

| On 5/7/14 10:24 AM, "Paige Castle" <pcastl01@villanova.edu> wrote:

| Hey,

| After this week, I will be gone until June 3rd and then I will here here for all of June.

| Thanks,

| Paige

From: Sarah Clark clarksi123@yahoo.com

Subject:

Date: May 7, 2014 at 7:08 PM

To: Gene Mitchell gatemitchell133@gmail.com, Angelia Mitchell angie.mitchell1333@gmail.com

Hey Gene--

I just got off the phone with my mom--my brother and his wife (and their two sons) are coming in from Montana for my little sister's graduation--I hate to be a pain, but can I add another day off for this? Can I ask off for that Friday May 30th as well? I'm so sorry--I know this is a lot of dates.

Please let me know if there are any issues with this.

Thanks, Sarah

From: Robert Stedeford bstedeford@gmail.com
Subject: Bouncer Schedule week of 5/12
Date: May 9, 2014 at 12:02 PM
To: Gene Mitchell genemitchell134@gmail.com, Angelia Mitchell angia.mitchell1313@gmail.com

Flips
Friday-Bob Joe Brian
Sat- Joe

Kellys
Tues- Pat Joe Ty
Thurs- Bob Pat Joe Jayson
Friday- Pat, Ty, Jayson,, Mark S., Steve G
Saturday- Pat, Ty, Jayson, Mark S, Steve G

I hope this works for you,
Bob

From: Gene Mitchell genemitchell13@gmail.com
Subject: FW: Sarah Kelly's
Date: May 10, 2014 at 7:01 AM
To: angie.mitchell1313@gmail.com

Update sheet

-----Original Message-----

From: Sarah Clark [<mailto:clarksn148@yahoo.com>]
Sent: Wednesday, May 07, 2014 2:25 PM
To: genemitchell13@gmail.com
Cc: angie.mitchell1313@gmail.com; kristin0618@gmail.com
Subject: Sarah Kelly's

Hi guys--

Just wanted to run it by you that I work for Bri G. tomorrow morning and Brett at night tomorrow night--I tried stealing more shifts during the week but no one was budging!

I told Kristin to go ahead and load me up for the month of May!!

The only request I have for this month is May 31st for my sister's graduation, then the following Sunday June 1st I just got an invite for a bridal shower I'd like to attend.

I just spoke to HR about my internship, and my first day is Wednesday June 4th (!!). So going forward until the middle of August, my availability will remain the same: Friday nights, anything on Sunday, and Sunday mornings.

Thank you so much for working with me on this! I have a few more dates in mind that I'd like to request off over the course of the summer, but I'll wait till that time comes a little closer. I appreciate your flexibility!! I know I've been all over the place this past month.

Please let me know if you have any questions!! And thanks again!

Sarah

Sent from my iPhone

From: Gene Mitchell <genemitchell13@gmail.com>
Subject: RE: Request off
Date: May 13, 2014 at 6:51 AM
To: taryn haney <tarynhaney@hotmail.com>, angie mitchell <angie.mitchell1313@gmail.com>

Hi taryn

OK thanks

Gene

-----Original Message-----

From: taryn haney [mailto:tarynhaney@hotmail.com]
Sent: Monday, May 12, 2014 3:14 PM
To: gene mitchell; angie mitchell
Subject: Request off

I would like to request off for Saturday may 24th. I know it's short notice and Memorial Day weekend, so if it's not possible, it's not a big deal. I wouldn't want to leave you guys hanging if too many people already asked!

Taryn Dillon

Sent from my iPhone

From: genemitchell13@gmail.com
Subject: Fw: Schedules week may 19-25
Date: May 13, 2014 at 5:04 PM
To: Angella Mitchell email: angle.mitchell1313@gmail.com

Sent from Windows Mail

From: Robert Stedeford
Sent: ?Tuesday?, ?May? ?13?, ?2014 ?3?:?10? ?PM
To: Gene Mitchell email

Never mind about next Sunday. It's June 1 I don't know why I thought it was next Sunday I'm not thinking clearly this week. So I can work next Sunday

On Tuesday, May 13, 2014, <genemitchell13@gmail.com> wrote:
Bob.

If you can't find anyone for thursday don't worry.

No problem on next sunday. Will get that covered.

Thanks

Gene

Sent via BlackBerry from T-Mobile

From: Robert Stedeford <bstedeford@gmail.com>
Date: Tue, 13 May 2014 14:54:24 -0400
To: genemitchell13@gmail.com<genemitchell13@gmail.com>
Cc: Angella Mitchell email<angle.mitchell1313@gmail.com>
Subject: Re: Schedules week may 19-25

Gene that schedule is fine except next Sunday my grand mom was going to have a dinner for everyone that couldn't make it to the services. Would it be ok to have off and resume my Sundays the following week? Also I'm working on having my shift covered for this thurs at Kelly's if you still feel you need 4.

Next week
Flips
Fri Joe
Sat Joe

Kelly's
Tuesday Joe,pat, Ty

Thursday Pat, jayson, Steve g
Friday pat Jayson mike Ty
Sat pat, mike Steve mark

Thanks
Bob

On Tuesday, May 13, 2014, <genemitchell13@gmail.com> wrote:
Bob

Pls take a look at bouncer needs AND where I have you on the bar. Not sure if this is reasonable for you but wanted to give you first crack at the shifts.

No rush to get this back to us.

Angie, pls review for party needs and time off requests.

Thanks

Sent from Windows Mail

From: jllmami103@gmail.com (jllmami103-ascii)

Subject:

Date: May 13, 2014 at 10:20 PM

To: Gene Mitchell genemitchell13@gmail.com, Angelia Mitchell angie.mitchell1313@gmail.com

Hey guys,

Randy asked if I could work for him on May 30 th which is a Friday!! I told him I would ask u guys!! Let me know!!

Have a good nite,

Thanks,

Kris

Sent from my iPhone

From: Coppo, Maria mcoppo@live.kutztown.edu
Subject:
Date: May 14, 2014 at 12:23 PM
To: genemitchell13@gmail.com
Cc: Angella Mitchell angie.mitchell1313@gmail.com

Hey Gene

I just wanted to talk to you about this summer and how much I'm needed. I noticed you took on a couple new people and are also planning on closing for renovations. Just wondering if you could give me a feel for how many days I'd be getting and if you'd need me at Kelly's/Alehouse while Flips is closed.

My only plans for the summer are to work and earn money so I'm just trying to sort out my plan/if I should take on a second job/etc

I know you're busy this week, please let me know as soon as you can!! Thank you

Maria

From: missa8602@aim.com
Subject: Re: Days Off
Date: May 14, 2014 at 1:05 PM
To: angie.mitchell1313@gmail.com, genemitchell13@gmail.com

Both emails are correct, this one is better since I only check my Dow email at work. I can work the day shift if you need me.

-----Original Message-----

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
To: missa8602 <missa8602@aim.com>; genemitchell13 <genemitchell13@gmail.com>
Sent: Wed, May 14, 2014 12:56 pm
Subject: Re: Days Off

The email I have for you is below. Are they both correct, which is better? If you can work the day shift at Kelly's it would be a huge help. That is graduation and we have a few call in large reservations already. Let me know if you cannot change your plans. Thanks!

mlmckenna@dow.com

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036

P

Please consider the environment - Do you really need to print this email?

From: <missa8602@aim.com>
Date: Wednesday, May 14, 2014 12:50 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>, <genemitchell13@gmail.com>
Subject: Re: Days Off

Angie,

It's fine, I will just cancel my plans. It's Melissa McKenna.

-----Original Message-----

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
To: Melissa <missa8602@aim.com>; genemitchell13 <genemitchell13@gmail.com>
Sent: Wed, May 14, 2014 12:43 pm
Subject: Re: Days Off

We are extremely short on servers for the busiest weekend of the year, we tried to

accommodate everyone's requests but must have missed yours. Can you work at all that date? And sorry but which Melissa is this?

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036

P

Please consider the environment - Do you really need to print this email?

From: Melissa <missa8602@aim.com>
Reply-To: Melissa <missa8602@aim.com>
Date: Tuesday, May 13, 2014 7:16 PM
To: <genemitchell13@gmail.com>, Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: RE: Days Off

Hi Gene and Angie,

I noticed I was still scheduled this day. I won't be in town that day.. is there anyone to cover this?

Thanks.

Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

From: missa8602@aim.com
Date: 05/05/2014 9:54 AM (GMT-05:00)
To: genemitchell13@gmail.com, angie.mitchell1313@gmail.com
Subject: Days Off

Hi Gene and Angie,

I just wanted to let you know I will be out of town May 17th and am unable to work that day.

Thanks,

From: **Melissa** miss002@earthlink.net
Subject: Days off
Date: May 14, 2014 at 7:30 PM
To: genemitchell13@gmail.com, **Angelia Mitchell** angie.mitchell1213@gmail.com, **Kristin Lang** kristi0011@gmail.com

Hey all,

I will be unavailable to work May 24-26.

Thanks,
Melissa

Sent from my Verizon Wireless 4G LTE Smartphone

From: Coll boundary=Apple-Mail-D601195D-03D3-4055-BEE8-D598D8781A9A <coll.mcgee@gmail.com>
Subject: Fwd: Thursday 5/15
Date: May 15, 2014 at 11:36 AM
To: Angela Mitchell <angie.mitchell1313@gmail.com>

This is the one I had sent about tonight, I'm looking for the one about last weekend now. The one for last weekend said I needed off Thursday-Sunday, but I worked all those days except Saturday when there was a real emergency. I didn't email about that one, I just texted Chris.

Sent from my iPhone

Begin forwarded message:

From: Colleen McGee <coll.mcgee@gmail.com>
Date: April 6, 2014 at 11:28:45 AM EDT
To: gene mitchell <genemitchell13@gmail.com>
Subject: Thursday 5/15

Hi Gene!

I just wanted to let you know that I won't be able to work next Thursday, the 15th because I will be in the city all night. I know that's grad weekend, so I can work any other time you need me but that night!

Thank you!!
Colleen

Sent from my iPhone

From: Gene Mitchell <genemitchell13@gmail.com>
Subject: FW: Thursday 5/15
Date: May 15, 2014 at 12:13 PM
To: Colleen McGee <coll.mcgee@gmail.com>, angie mitchell <angie.mitchell1313@gmail.com>
Cc: chyoung77@yahoo.com

Colleen

Every time someone sends me a request for time off I confirm by email. I never received this email and the date is on April 6th, saying next Thursday. How is that possible.

Lastly here is your email you sent requesting off for a weekend in in April.

I do not understand what happened last weekend. Please explain this to us as we are not getting a clear answer and this is getting extremely frustrating. If easier we can meet you today to speak about this.

Gene

From: Coll <coll.mcgee@gmail.com>
Date: Thursday, May 15, 2014 11:36 AM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: Fwd: Thursday 5/15

This is the one I had sent about tonight, I'm looking for the one about last weekend now. The one for last weekend said I needed off Thursday-Sunday, but I worked all those days except Saturday when there was a real emergency. I didn't email about that one, I just texted Chris.

Sent from my iPhone

Begin forwarded message:

From: Colleen McGee <coll.mcgee@gmail.com>
Date: April 6, 2014 at 11:28:45 AM EDT
To: gene mitchell <genemitchell13@gmail.com>
Subject: Thursday 5/15

Hi Gene!

I just wanted to let you know that I won't be able to work next Thursday, the 15th because I will be in the city all night. I know that's grad weekend, so I can work any other time you need me but that night!

From: missa8602@aol.com
Subject: June 1st
Date: May 22, 2014 at 10:07 AM
To: kustin0618@gmail.com, genemitchell13@gmail.com, angie.mitchell1312@gmail.com

Hey All,

I know I'm typically scheduled Sundays... I'm not available Sunday June 1st. Will we be closed anyway? Or do I need to find coverage?

Thanks,
Melissa

From: genemitchell13@gmail.com
Subject: Re: days requested off
Date: May 22, 2014 at 11:46 AM
To: Coppa, Maria <mcopp804@live.kutztown.edu>, Angelia Mitchell <angia.mitchell13@gmail.com>

Ok

Sent via BlackBerry from T-Mobile

From: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Date: Thu, 22 May 2014 15:18:14 +0000
To: genemitchell13@gmail.com<genemitchell13@gmail.com>
Subject: days requested off

Hi Gene. I'd like to request off Sat. June 7th & June 18-22nd (That's the longest I'll be taking off this summer). Thanks!

Maria

From: **Robert Stedeford** bstedeford@gmail.com
Subject: Next week
Date: May 22, 2014 at 2:48 PM
To: **Gene Mitchell** genemitchell13@gmail.com, **Angella Mitchell** angie-mitchell1313@gmail.com

Going to put together the bouncer schedule but I need to know if I'm Bartending Friday or Saturday. I also wanted to thank you both for your support and giving me the time to deal with things when my father passed. I really appreciate it.
Bob

From: **Sarah Clark** clarksh1418@yahoo.com
Subject: Summer
Date: May 22, 2014 at 5:08 PM
To: Kristin Lang kristin0618@gmail.com
Cc: Gene Mitchell genemitchell13@gmail.com, Angelia Mitchell angie.mitchell1313@gmail.com

Hi guys-

Kristen, I know you said that you want to start the process of placing responsibility on us to get shifts covered, but I still just want to introduce just a few dates this summer that I will be trying to get covered.

Friday June 13-Sunday June 15: I'm going to see DMB and the Phillies play my hometown team, the Cubs. This is the extent of my summer "vacation."

Friday August 1: I have a wedding in York, PA. I will be available the following Saturday.

Friday August 8-Sunday August 10: The 8th is my birthday. While I don't have plans, I just want to be able to have the weekend off and relax.

As I mentioned, I begin my summer internship on June 4th. I will be working 10-4 Monday through Thursday from June 4th till the middle of August; I was able to arrange my schedule so that I am still available Friday through Sunday.

Please let me know if there are any issues with this!

As always, thanks!
Sarah :)

From: genemitchell13@gmail.com
Subject: Re: Next weekend
Date: May 22, 2014 at 5:36 PM
To: Chris Healey chris.healy38@gmail.com, Kristin Lang kristin0518@gmail.com, Angelia Mitchell angie.mitchell1313@gmail.com

Ok

Sent via BlackBerry from T-Mobile

From: Chris Healy <chris.healy38@gmail.com>
Date: Thu, 22 May 2014 17:05:51 -0400
To: Gene Mitchell <genemitchell13@gmail.com>
Subject: Next weekend

Hey Gene, I need off next weekend if possible, I'm visiting family in Florida

From: **Gene Mitchell** genemitchell13@gmail.com
Subject: FW: August vacation
Date: May 23, 2014 at 2:21 PM
To: Angelia Mitchell angie.mitchell1313@gmail.com

Pls update

-----Original Message-----

From: Robin [<mailto:robincait@yahoo.com>]
Sent: Friday, May 23, 2014 12:23 PM
To: kristin0618@gmail.com; Gene Mitchell; Angelia Mitchell
Subject: August vacation

Hi :)

We have vacation scheduled August 5th to the 9th. Hope that is not a problem. Figured since we are at the in-official start of summer this weekend it l a good time to share those dates! Hope everyone gets to enjoy a little BBQ this weekend :) Best,

Sent from my iPhone

From: **taryn haney** tarynhaney@hotmail.com
Subject: Extra shifts
Date: May 27, 2014 at 1:29 PM
To: **gene mitchell** genemitchell13@gmail.com, **angle mitchell** angle.mitchell1313@gmail.com

Hey guys. I am currently in the process of a separation and will be moving out on my own with the children. It would be really awesome if any shifts that open up, I could have. Serving or bar, any location. I am in a really bad position and financially can not make it on only 3 nights. I realize this may not be possible and completely understand if there is currently nothing available. Please keep me in mind if anything does pop up. Thank you.

Taryn Dillon

Sent from my iPhone

From: Rosie Coogan boundary=Apple-Mail-FDAB9F37-008C-4B11-BB14-4CDB2AF9A874 rosiecoogan@gmail.com
Subject: Re: This week's Schedule
Date: May 27, 2014 at 4:21 PM
To: Angelia Mitchell angie.mitchell1313@gmail.com

Angie, that is fine I'm available Thursday!

Also, this summer I agreed to babysit every Monday so I just won't be able to work Monday's starting in June. If I am put on the schedule, though, I will be sure to find someone to do it. If this is a problem, let me know! Thank you!
Rosie

Sent from my iPhone

On May 27, 2014, at 4:12 PM, Angelia Mitchell <angie.mitchell1313@gmail.com> wrote:

Rosie:

Gene errored on the schedule. You ARE supposed to work Thursday for the Brewers, not Wednesday. Is that okay?

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036

P

Please consider the environment - Do you really need to print this email?

From: **Melissa Schaeffer** melissa.schaeffer@princeofgeorge.com
Subject: Vacations and Requests Off (weddings)
Date: May 28, 2014 at 8:24 PM
To: Kristin0018@gmail.com, Gene Mitchell genemitchell13@gmail.com, Angelia Mitchell angie.mitchell1313@gmail.com

Hello All!

I have two vacations coming up i wanted to let you guys know as soon as possible with the final dates. I also unfortunatley have two weddings and a rehearsal dinner in ONE week.

1st Vacation:

July 3, 4th, 5th & 6th. Thursday thru Sunday. We also have the house for that Monday (the 7th) but i will be coming back so I don't have to take off that many days.

August 15 Friday (Wedding)

August 22nd (Friday) Rehearsal dinner & August 23rd (Saturday) Boyfriends brothers wedding.

2nd Vacation:

August 29, 30, 31st and September 1st. (Friday thru Monday)

I will pick up extra shifts or switch around with anyone if I can.

Thanks So Much!!!

Melissa-

From: Coll charsets-us-ascii coll.mtgee@gmail.com

Subject: June 8th

Date: May 29, 2014 at 4:42 PM

To: Gene Mitchell gmmitchell3@gmail.com, Angeila Mitchell angie.mitchell131@gmail.com, Chris cbyoung77@yahoo.com

Hi!

Just wanted to let everyone know that I won't be able to work June 8th (next Sunday) because I'll be at the Pride Parade down on Penns Landing. I've been on the last few Sundays so I just wanted to give the heads up.

Thanks,
Colleen

Sent from my iPhone

From: **Gene Mitchell** (genemitchell13@gmail.com)
Subject: RE: Days off
Date: May 30, 2014 at 11:23 AM
To: Erin Sheeron (erinsheeron@yahoo.com), angie.mitchell1313@gmail.com

Thanks Erin, all noted.

Chris is writing the schedules going forward (including this week). Keep all of us copied and we will make sure the request sheet is always updated.

Gene

From: Erin Sheeron [mailto:erinsheeron@yahoo.com]
Sent: Friday, May 30, 2014 9:54 AM
To: genemitchell13@gmail.com; angie.mitchell1313@gmail.com
Subject: Days off

I have a bunch of days I need off: June 11-13, June 22-26, July 3-7.

Thanks,
Erin

From: Gene Mitchell [mailto:genemitchell13@gmail.com]
Subject: FW: Flips Meeting Thursday
Date: May 31, 2014 at 6:55 AM
To: chryoung77@yahoo.com, angie.mitchell1313@gmail.com

This is legitimate.

From: Gene Mitchell [mailto:genemitchell13@gmail.com]
Sent: Saturday, May 31, 2014 6:56 AM
To: 'Melissa McCarthy'
Cc: 'Gene Mitchell'
Subject: RE: Flips Meeting Thursday

Hi Melissa

Don't worry about it.

Kristin sent the email but Chris called the meeting.

Will let them know.

Gene

From: Melissa McCarthy [mailto:melissamccarthy91@hotmail.com]
Sent: Friday, May 30, 2014 9:54 PM
To: genemitchell13@gmail.com
Subject: Flips Meeting Thursday

Gene:

I saw Kristin's email regarding a Flips mandatory meeting this Thursday at 3:30. I have bus duty for the first time all next week. I am HOPING I will be out of the building by 3:15-3:30, but I just wanted to send a heads up in case I stroll in a bit late.

Thanks!
- Melissa

From: TheFood Ferry <thefoodferryllc@gmail.com>
Subject: Re: Party Request : HH This Thursday 6/5
Date: June 2, 2014 at 5:44 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>

Absolutely.

There may be a change for Tuesday as well. Originally she needed coverage for tomorrow night. She reached Brian from Flips before I responded. Let Kristen know and she preferred I work it. Melissa also asked if I would take Tuesdays going forward. Thought I'd mention re you and Genes thoughts.

On Jun 2, 2014 5:35 PM, "angie" <angie.mitchell1313@gmail.com> wrote:

Ah! Got it. Thanks. Just wanted to understand. Thank you for helping out and responding!

Sent via BlackBerry

From: TheFood Ferry <thefoodferryllc@gmail.com>
Date: Mon, 2 Jun 2014 17:34:08 -0400
To: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: Re: Party Request : HH This Thursday 6/5

OK.. great. You re welcome.

Melissa has asked me to originally switch to evenings, then asked me to come in at 4 as she has a prior committment.

On Jun 2, 2014 5:26 PM, "angie" <angie.mitchell1313@gmail.com> wrote:

Thanks joe! Already called her and corresponded. Why are you there so early?

Sent via BlackBerry

From: TheFood Ferry <thefoodferryllc@gmail.com>
Date: Mon, 2 Jun 2014 16:43:21 -0400
To: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: Party Request : HH This Thursday 6/5

Hey Angie:

A woman called today looking for taking the Mezzanine or Top Bar for this Thursday. Her info and details are below. Forward any questions to me. Thks!

Karen Conlin
Thursday 6/5/14.
20-22 ppl
Upstairs preferably
Appetizers
(C) 484.614.8364
(Day) 610.581.4785

On May 21, 2014 12:39 PM, "Angelia Mitchell" <angie.mitchell1313@gmail.com> wrote:

Hello Joe,

There were several shifts where you did not clock out, this messes up payroll

and delays your hours from processing. It was only a few days so I was able to over-ride but please make sure you clock out after your shift.

Thanks!

Angie Mitchell

Cell 484-620-0376

Fax 484-840-5036

P Please consider the environment - Do you really need to print this email?

From: Kristin Lang kristin0618@gmail.com
Subject: Re: SCHEDULE & EVENTS THIS WEEK
Date: June 3, 2014 at 1:14 PM
To: Angelia Mitchell angie@kellystaproom.com, Gene Mitchell genemitchell13@gmail.com

Tuesday: *NEW* Haverford School @ 2pm with Hannah Turlish as the host for 10 people, menu order to single check. SCHEDULE: Kristin, I think you were going to take care of this group?

Chris is here today, and is covering this :) It's tomorrow day I do not have a server on for. I am here all day though so can help out Kathy.

Thursday: *NEW* Bryn Mawr Trust @ 5pm for 20-25 people third floor, host is Karen Conlin, menu order. SCHEDULE: Please have someone open the third floor bar and keep it open for the night for this 5pm event. You will need it. The schedule as written now has Mike in on a double, Melissa/Taryn in at 7pm and Robin in at 9. We do need to add 1 server, for a total of 3 for the night.

Gill will be extra pm server. I asked Taryn to please be in by 430 to set up upstairs bar. I am here to help as well at night.. Robin will be in at 7 and Sarah can do thurs nights as long as she is late person with traveling back from NY internship. Confirmed with all..

Friday: *NEW* Reservation @ 4pm for 10 people on the first or mezzanine (group is flexible). Host is Theresa Mohollen. SCHEDULE: Mike @ 5, Melissa @ 7, Sarah/Kris @ 9. You should have someone come in at 5pm and open the third floor bar. You will get busy with reunion business and this bar should be open and running early for Happy Hour.

Sarah is coming in at 5pm, Robin will be in at 7pm in place of Melissa - I am here as well.

Saturday: I think you should also open the third floor bar at 5pm. The reunion events get our around 6 so people will be heading over around 7pm and thru the night. Sarah is working day bar in place of Melissa. Robin will be in at 5pm for third floor. I am here as well.

Sunday: *EXISTING* Anne Marie Mangione @ 11:30 for 10-20 people on the mezzanine with menu order
Same staff as scheduled.

On Tue, Jun 3, 2014 at 10:19 AM, Angelia Mitchell <angie@kellystaproom.com> wrote:
Good morning Kristin/Paco:

I will call you this morning but want these events on your radar. Paco-no buffets or preorder of food just menu order. I trust you are staffed and stocked!

Tuesday: *NEW* Haverford School @ 2pm with Hannah Turlish as the host for 10 people, menu order to single check. SCHEDULE: Kristin, I think you were going to take care of this group?

Thursday: *NEW* Bryn Mawr Trust @ 5pm for 20-25 people third floor, host is Karen Conlin, menu order. SCHEDULE: Please have someone open the third floor bar and keep it open for the night for this 5pm event. You will need it. The schedule as written now has Mike in on a double, Melissa/Taryn in at 7pm and Robin in at 9. We do need to add 1 server, for a total of 3 for the night.

Friday: *NEW* Reservation @ 4pm for 10 people on the first or mezzanine (group is flexible). Host is Theresa Mohollen. SCHEDULE: Mike @ 5, Melissa @ 7, Sarah/Kris @ 9. You should have someone come in at 5pm and open the third floor bar. You will get busy with reunion business and this bar should be open and running early for Happy Hour.

Saturday: I think you should also open the third floor bar at 5pm. The reunion events get our around 6 so people will be heading over around 7pm and thru the night.

Sunday: *EXISTING* Anne Marie Mangione @ 11:30 for 10-20 people on the mezzanine with menu order

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036
Party Coordinator
Flip & Bailey's Bar & Grill
Kelly's Taproom
Garrett Hill Alehouse

From: Erin Sheeron erinsheeron@yahoo.com
Subject: Re: Friday Shift
Date: June 16, 2014 at 8:53 AM
To: Angie Mitchell angie.mitchell1313@gmail.com

Sorry Angie...just seeing this email. No, I did not work on Friday. I had asked off from Wed. - Fri night (my husband just had hernia surgery on Wed.). However, Chris gave my shifts to Maria so I believe she worked for me. I have no idea how I'm clocked in since 6/6?? When we run the reports at night you have to clock out in order to print it, right? Not sure what happened but I left that night right around 10pm, if that helps.

On Saturday, June 14, 2014 7:46 AM, Angie Mitchell <angie.mitchell1313@gmail.com> wrote:

Hey Erin,

What happened on your shift last night? Did you work? The system has you still clocked in since 6/6.

Thanks,

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036

P

Please consider the environment - Do you really need to print this email?

From: **Kristin Lang** kristin0618@gmail.com
Subject: **GROUPME APP must be in effect for all**
Date: **June 17, 2014 at 4:04 PM**
To: **Chris Young** cbyoung77@yahoo.com, **Michael Bevevino** mbevevino@gmail.com, **Robin Helms** robincait@yahoo.com, **Brian Feleccia** bfeleccia@gmail.com, **Jillian Miller** jillianmillerme.com, **Michael Inglese** eaglemm@gmail.com, **Melissa McCarthy** melissamccarthy1@hotmail.com, **Erin Sheeron** erinsheeron@yahoo.com, **Krista Haney** kohaney94@gmail.com, **Colt McGee** colt.mcgee@gmail.com, **Rosie Coogan** rosiecoogan@gmail.com, **Alaa Eddine Ghourrabou** usalaa@hotmail.com, **jeanstock18@yahoo.com**
Cc: **Angelia Mitchell** angelie.mitchell1312@gmail.com, **Gene Mitchell** gsmitchell13@gmail.com

If you're receiving this email, then you are not on the groupme app. I need everyone to be on this as this is going to be our means of communicating between all 3 restaurants regarding shift coverage, staff looking to switch shifts or pick up shifts, important specials that the managers will want staff to know about, and last minute changes no matter what they are. We all need to be on the same page, this app will be very effective once we are all on it. It worked for me in the past tremendously, I know it can work here for everyone..

If by chance you cannot get the app on your phone, you will just be shown as an SMS user and will be receiving all messages via text. Which I am ok with as long as you are ok with that as well. I know a few of you may not be able to get this downloaded, just know it will have to be used as a texting tool for you if that's the case.

Once you have downloaded the app groupme please let me know, I will then add you to the group and you will be able to see all communication going forward.

PLEASE TEXT me once you have done this so I can make sure you are on asap. This is too many people not on as of yet when I have asked you all more than once to do a task that will take you 2 minutes to do. I do not want to have to chase anyone again on this please. Your cooperation to this matter is appreciated..

Thank you,

Kristin
484-995-4084

From: **Gene Mitchell** genemitchell1313@gmail.com
Subject: Re: Request for time off
Date: June 18, 2014 at 10:48 PM
To: Brian @ Flips bfeleccia@gmail.com, Chris Young cbyoung77@yahoo.com, Angelia Mitchell angie.mitchell1313@gmail.com

All good. Have fun

Best Regards

Gene Mitchell
Cell 610-203-2674

On Jun 18, 2014 10:19 PM, "Brian Feleccia" <bfeleccia@gmail.com> wrote:

Hi Gene, Chris,

May I please have off from Friday July 4th through Tuesday July 8th to go on vacation to Florida with my family? Would be much appreciated please let me know so I could book my plane ticket.
Thank you,

Brian Feleccia

Sent from my iPhone

From: genemitchell13@gmail.com
Subject: Re: Request off
Date: June 23, 2014 at 6:38 PM
To: Krista Haney xhaney84@gmail.com, Angelia Mitchell angle.mitchell131@gmail.com
Cc: Chris Young chyong77@yahoo.com

Including angle although Chris writ4es the schedules.

Sent from Windows Mail

From: Krista Haney
Sent: ?Monday?, ?June? ?23?, ?2014 ?1?:?55? ?PM
To: Gene Mitchell
Cc: Chris Young

Request off for July 5th, 6th and 7th.

But I will work July 5th, Saturday morning just not night. Thanks!!
Sent from my iPhone

From: ehop13@aol.com
Subject:
Date: June 24, 2014 at 7:57 AM
To: cbyoung77@yahoo.com, angie.mitchell1313@gmail.com, genemitchell13@gmail.com

Hi guys-

Chris I had mentioned this to you already but wanted to send a reminder that I will need off several Saturdays in July and a couple later in August. So July 12, 19, and 26th I will not be available. I am happy to help during the week (except for the 19 through 26th because when I'll be away with my family). I can help to get coverage for these dates if needed. Thank you

Elisa Mcclatchy
ehop13@aol.com

From: **Gene Mitchell** genemitchell13@gmail.com
Subject: Paco
Date: June 25, 2014 at 1:27 PM
To: **Angelia Mitchell** angie.mitchell13@gmail.com, **Kristin Lang** kristin0618@gmail.com

He needs off the 5th and 12th of July. Not sure we can move Cesar to Kelly's.
Please remember this when writing the schedules.

Thanka

Best Regards

Gene Mitchell
Cell 610-203-2674

From: **Gene Mitchell** genemitchell134@gmail.com
Subject: Re: Schedule
Date: June 26, 2014 at 4:40 PM
To: **Melissa McCarthy** melissamccarthy91@hotmail.com, **Chris Young** cbyoung77@yahoo.com, **Angelia Mitchell** angia.mitchell1313@gmail.com, **Gene Mitchell** genemitchell134@gmail.com

Melissa great to have you back.

Chris. Pls note below when writing the schedules.

And yes. GO USA.

Best Regards

Gene Mitchell
Cell 610-203-2674

On Jun 26, 2014 2:57 PM, "Melissa McCarthy" <melissamccarthy91@hotmail.com> wrote:
Hey Gene,

You can start putting me back on the schedule for work! If we could stay away from Tuesdays/Thursdays that would be awesome.

These are the days I am unavailable as of now:
July 4 (although I am pretty sure we closed last year after the parade)
July 18-20

Preseason for the high school starts August 11 so as it approaches I'll get back to you with more updates.

GO USA!!!

- Melissa (Flips)

From: **Coll chareet-us-ascii** coll.mogee@gmail.com

Subject: Back to School Dates

Date: August 5, 2014 at 2:48 PM

To: **Chris cbyoung77@yahoo.com**, **Angelia Mitchell** angelie.mitchell1313@gmail.com, **Gene Mitchell** genemitchell13@gmail.com

Hi!

Just wanted to let everyone know my last day before I move back to school is going to be the 17th, next Sunday. I have a wedding on Friday the 15th but besides that if there are any extra openings in the Flips schedule I will happily fill them to save up before school!!

Thank you!!
Colleen

Sent from my iPhone

From: Michael Inglese eaglemi@gmail.com
Subject: Return to work
Date: August 15, 2014 at 12:21 PM
To: Gene Mitchell genemitchell13@gmail.com, Angella Mitchell angia.mitchell1313@gmail.com

Gene

I returned from my doctor. He informed me everything is looking great and said I will be good to return to work in two weeks. So if I could be placed back on the schedule for September I would greatly appreciate it. Thanks again for everything and being patient with me.

Michael

From: **Taryn Dillon** Taryndillon56@gmail.com
Subject: Availability
Date: August 25, 2014 at 9:16 PM
To: **Gene Mitchell** genemitchell13@gmail.com, **angie mitchell** angie.mitchell1313@gmail.com, **Kristin Lang** kristin6618@gmail.com,
Chris Young coryoung77@yahoo.com

I will be starting classes next week on Tuesday 9/2 and Thursday 9/4 evenings and will no longer be available to work those evenings until classes are over in December. Thank you.

Taryn Dillon

Sent from my iPhone

From: **Erin Sheeron** erinsheeron@yahoo.com

Subject: Days off

Date: August 27, 2014 at 8:51 AM

To: cbyoung77@yahoo.com, **Angelia Mitchell** angie.mitchell1313@gmail.com, **Gene Mitchell** genemitchell13@gmail.com

Hi guys,

I need off on the following days:

Sept. 7th (Sunday)

Sept. 12-13th (Friday-Sun)

Sept. 26th (Friday)

Thanks!

Erin

From: **Coppa, Maria** mcopp604@live.kutztown.edu
Subject: RE: BUSY WEEKENDS
Date: September 11, 2014 at 11:24 AM
To: **Angie Mitchell** angie.mitchell1313@gmail.com



Hey Angie -

I appreciate you letting me know! Unfortunately I definitely can not do the 19/20th. Homecoming is very possible and I will let you know for sure as it get closer. Sorry I couldn't help next weekend I'll let you know if that changes. Thanks

Maria

From: Angie Mitchell <angie.mitchell1313@gmail.com>
Sent: Wednesday, September 10, 2014 8:41 AM
To: Coppa, Maria
Subject: BUSY WEEKENDS

Hello Maria:

Hope your school year is treating you well! I know I told you I would reach out to you when we had heavy weekends if you wanted to pick up some shifts. In all means you do not need to feel obligated but we always want to give you the opportunity for key weekends where money should be good.

Sep 19-20 is Villanova Parents Weekend. Saturday night I am looking to add a PM server at the Alehouse, right now we only have 2 and we need someone as we will be busy! It's 4:30-close and also looking for someone to do brunch on Sunday 11:30-5

Also keep in mind Villanova's Homecoming which is October 25. Any shifts you want that weekend you we are more than welcome to!

Let me know if you would be interested in any of these.

Thanks!!

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036



Please consider the environment - Do you really need to print this email?

From: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Date: Wednesday, May 7, 2014 1:08 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: RE: Schedule

Yup sounds good! Thank you

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
Sent: Wednesday, May 07, 2014 10:46 AM
To: Coppa, Maria
Subject: Re: Schedule

That's terrific! So next week is Villanova's graduation, so I'll put you in if you don't mind. It will be a very busy weekend and would be great to have your personality and expertise. So anytime Wed May 14th and on correct?

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036

P

Please consider the environment - Do you really need to print this email?

From: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Date: Wednesday, May 7, 2014 10:35 AM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: RE: Schedule

Hi Angie!

I was actually just about to contact you or Gene. I plan to head home this Sunday/Monday and I'd love to start working right away. I should be around all summer and as of now I'm available whenever.

Although to be honest I haven't thought much further than finals week so I will let you know if that changes

Thanks. Maria

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
Sent: Wednesday, May 07, 2014 9:05 AM
To: Coppa, Maria
Cc: Gene Mitchell
Subject: Re: Schedule

Good morning Maria,

Not sure Gene has reached out to you but wanted to find out your summer and May plans. If you are looking to pick up some shifts we have a lot coming up next week. Let me know!

Thanks!

Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036

P Please consider the environment - Do you really need to print this email?

From: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Date: Monday, December 16, 2013 3:59 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: RE: Schedule

Yes for sure! and no unfortunately I'll be in New York
Thanks

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
Sent: Monday, December 16, 2013 11:53 AM
To: genemitchell13@gmail.com; Coppa, Maria
Subject: Re: Schedule

Hello Maria,

Could you pick up a Wed pm serving shift at Kelly's? I am down to a single server so you would be Audrey. Let me know. And just to confirm, you cannot work a Saturday 1-9 shift at Flips 12/21 correct?

Angie Mitchell
Cell 484-620-0376
Fax 610-649-3914

P Please consider the environment - Do you really need to print this email?

From: Angelia Mitchell <angie.mitchell1313@gmail.com>
Date: Monday, December 16, 2013 7:35 AM
To: <genemitchell13@gmail.com>, "Coppa, Maria" <mcopp804@live.kutztown.edu>
Subject: Re: Schedule

Yes I added her. They were just sent out.

Angie Mitchell
Cell 484-620-0376
Fax 610-649-3914

P Please consider the environment - Do you really need to print this email?

From: <genemitchell13@gmail.com>
Reply-To: <genemitchell13@gmail.com>
Date: Monday, December 16, 2013 7:35 AM
To: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Cc: Angelia Mitchell <angie.mitchell1313@gmail.com>
Subject: Re: Schedule

Maria

Not yet. They will go out this morning.

Gene

Sent via BlackBerry from T-Mobile

From: "Coppa, Maria" <mcopp804@live.kutztown.edu>
Date: Mon, 16 Dec 2013 03:13:24 +0000
To: Gene Mitchell <genemitchell13@gmail.com>
Subject: Schedule

Hi Gene, did the schedules go out for this week yet?

From: **Michael Bevevino** mjbevevino@gmail.com
Subject: Request Off
Date: September 17, 2014 at 10:06 PM
To: **Gene Mitchell** genemitchell13@gmail.com, **Angie Mitchell** angie.mitchell1313@gmail.com,
Kristin Lang boundary=B_3496550085_4055575 Kristin0618@gmail.com

Gene,

?

I'd like to take off a few days next month. ? I'm going away on Oct. 15, 16 & 17th. ? On the academic calendar, these days are during Villanova's Fall Break, so I'm not sure we'll need someone to cover my shifts. ? Please let me know if there's anything I need to do.

?

Thanks,

?

MB

From: **Erin Sheeron** erinsheeron@yahoo.com
Subject: **October Days off**
Date: **September 22, 2014 at 9:45 AM**
To: chyoung77@yahoo.com, angie.mitchell1313@gmail.com, geremitchell10@gmail.com

Hi guys,

I need off in October on the following days:

2nd

4th-5th

10th-12th

24th-26th

31st

Thanks,
Erin

From: William Schoof charset=us-ascii wschoof@villanova.edu
Subject: Re: Sick
Date: September 29, 2014 at 2:52 PM
To: Angie Mitchell angie.mitchell1313@gmail.com

Angie,

Chris did not. From what I understand, he was off for the weekend.

Thanks,

Will

Sent from my iPhone

[On Sep 29, 2014, at 2:32 AM, Angie Mitchell <angie.mitchell1313@gmail.com> wrote:

Hello Will, did Chris get in touch with you Saturday? Just making sure.
Angie Mitchell
Cell 484-620-0376
Fax 484-840-5036
P Please consider the environment - Do you really need to print this email?

On 9/27/14 6:42 PM, "William Schoof" <wschoof@villanova.edu> wrote:

Hi Angie,

I am very sick. I contacted flips and went through every server to find someone to cover me but no one can.

I want to work but I've been throwing up the last 24hrs and spent the night in the health center. The vomiting is slowing down but I still have a fever and the shakes.

I didnt know who to contact because Chris is off but I'm so sorry. I will accept whatever punishment comes my way, but it would not be good for me to come into work tonight.

Will

From: Sarah Clark sarahclark141@yahoo.com
Subject: Sundays Flips Upstairs--Eagles schedule
Date: October 4, 2014 at 4:29 PM
To: Gene Mitchell genemitchell15@gmail.com, Angella Mitchell angella.mitchell1910@gmail.com, Chris Young cbyoung77@yahoo.com

Hi guys--

Since we've all agreed that it would only make sense to open the upstairs for when the Eagles play, I went through the rest of their regular season schedule and came up with a rough plan for the remaining Sundays. Hopefully this makes it easier overall to plan ahead.

Sunday October 19: Eagles BYE WEEK (Closed)
Sunday October 26: Eagles vs. Cardinals 4:05 pm (I can come in at 3 and open the floor for this game)
Sunday November 2: Eagles vs. Texans 1:00 pm (Regular upstairs 11-7 hours)
Sunday November 9: Eagles off (Eagles play Monday October 10th this week)(Closed)
Sunday November 16: Eagles vs. Packers 1:00 pm (Regular upstairs 11-7 hours)
Sunday November 23: Eagles vs. Titans 1:00 pm (Regular upstairs 11-7 hours)
Sunday November 30: Eagles off (Eagles play Thursday November 27th this week)(Closed)
Sunday December 7: Eagles vs. Seahawks 4:25 pm (I can come in at 3 and open the floor for this game)
Sunday December 14: Eagles vs. Cowboys 8:30 pm (Closed)
Sunday December 21: Eagles off (Eagles play Saturday December 20th this week)(Closed)
Sunday December 28: Eagles vs. Giants 1:00 pm (Regular upstairs 11-7 hours)

Let me know what you think about this! Hopefully this will help!

Thanks,
Sarah :)

From: Sarah Clark charset=us-ascii clarkst148@yahoo.com
Subject: March 6-8
Date: October 9, 2014 at 4:55 PM
To: Kristin Lang kristin0618@gmail.com
Cc: janemitchell12@gmail.com, angemitchell1313@gmail.com

Hellooooo!!

I would like, if I could, to request off Friday March 6-Sunday March 8th. I am traveling to Durham, NC to run a 5k to honor a dear friend of mine. I'm sending this to all of you since I'm not sure what will be that time of year!

Thanks a lot!
Sarah :)

Sent from my iPhone

From: Gene Mitchell genemitchell1105@gmail.com
Subject: Re: Ale house
Date: October 22, 2014 at 9:51 PM
To: Kris Ale House krisale1105@gmail.com
Cc: Angie Mitchell angie.mitchell1105@gmail.com, Kate Coogan katecoogan@yahoo.com

Hi Kris

Katie is doing a great job. Angie and I were saying this morning that of the three places the open communication and relationship we have with Katie is the best. We respect everything she does and her commitment. I will say she has done a great job leading the Ale house and we are fully supportive of her as the leader there. She is your boss and makes decisions daily as well as gives us advice on a variety of issues.

I am not sure why there is so much drama here and would rather just all sit down and figure this out. I can not meet tomorrow but can meet Friday or Saturday at 4.

Can everyone let me know what works. Want to get this straightened out. I believe all of this can be easily resolved.

Thanks

Gene

On Wed, Oct 22, 2014 at 2:20 PM, <krisale1105@gmail.com> wrote:

Hey guys,

Not really sure what's going on but I think words are being switch all around! When me and gene were talking yesterday and Angie came in the middle of the conversation I never said that Katie made me give up Mondays! Not sure where that is coming from. I was asked why I was taking off Monday nite closer and Angie said that it was both her and Katie's decision! Then I said kris w and I talked about me taking over his Thursday nite since he has a new job and would have to see if the numbers were low enough for him to have Mondays on his own. That I would of gave Monday nite up to work Thursday nite! We both asked Katie n Katie said she would talk to the bosses. Then I was told since Adrienne has to work the lunch shifts that she would get it. So then I assumed that I would still be working on Mondays and when the schedule went out I wasn't on Monday, which means I lost a shift n would only have 3 shifts at the ale house! I don't want any confusion that's why I'm sending this email out! I'm able to work any day. Katie does a lot and is doing a great amazing job as being manager and does try to all of her employees to have fair schedules so in anyway would I say it was her fault or that she made me give up my shift when that wa talked about between kris w and I! Sry for any misunderstanding!

Thanks,
Kris

Sent from my iPhone

--

Best Regards,

Gene Mitchell

From: Erin Sheeron erinsheeron@yahoo.com
Subject: Days off in November
Date: October 28, 2014 at 10:38 PM
To: Gene Mitchell genemitchell19@gmail.com, Angie Mitchell angie.mitchell1916@gmail.com

Hi,

I just wanted to send you this while I'm thinking of it. I need off on the following days:

November 13-16th and 26th-29th.

Thanks!
Erin

From: **Caveman Joe** cavemanjoe001@gmail.com
Subject: Sunday nov 9
Date: October 29, 2014 at 1:24 PM
To: **Kristen Lang** kristin0618@gmail.com, **Angie** Angie.Mitchell1013@gmail.com, **Ryan Kellys** ryan.henry18@gmail.com

Hi Kristen. If possible I was wondering if I could get off on the 9th of Nov

From: tinydancer013@yahoo.com
Subject: Saturday
Date: November 5, 2014 at 12:27 PM
To: Kristin Lang kristin0618@gmail.com
Cc: Sarah Clark clarksh148@yahoo.com, Angie Mitchell angie.mitchell1313@gmail.com, Gene Mitchell genemitchell13@gmail.com

Hey I'm just emailing to see if it'd be alright for Sarah and me to switch times to come in on Saturday. I have rehearsal Saturday afternoons so she said she could come in at 4pm and I'll come in at 7pm, if that's ok

Sent from my Verizon 4G LTE Smartphone

From: Sarah Clark clarkst148@yahoo.com
Subject: January dates
Date: November 11, 2014 at 11:52 AM
To: Gene Mitchell genemitchell13@gmail.com, Angie Mitchell angie.mitchell1313@gmail.com
Cc: Kristin Lang kristin0618@gmail.com, Ryan Henry ryan.henry18@gmail.com

Hi all,

I have finally booked a flight to Montana that I've been planning for weeks now. My third nephew was born last month, so I've been dying to get out there to meet him and reconnect with my other nephews. I know this is a lot of time off, but traveling to Montana literally requires an entire day, so my apologies. I also wanted to squeeze this in AFTER the holidays and BEFORE the kids came back from winter break. Let me know if there are any issues with this.

Wednesday January 7th - Wednesday January 14th.

Thank you SO much!
Sarah :)

From: **Michael Bevevino** mbevevino@gmail.com
Subject: Thanksgiving Eve
Date: November 12, 2014 at 11:05 PM
To: **Gene Mitchell** genemitchell13@gmail.com, **Angie Mitchell** angie.mitchell1313@gmail.com, **Kristin Lang** Kristin0013@gmail.com,
Ryan Henry ryan.henry.us@gmail.com

Hey Gene & Angie,

If possible, I would like to work on the Wednesday night before Thanksgiving.

Thanks,

MB

From: Justin Rush justin.rush8612@gmail.com
Subject: Re: Schedule
Date: November 13, 2014 at 5:52 PM
To: Angie Mitchell angie.mitchell1313@gmail.com

Hi Angie,

I submitted my two weeks November 4th, so my last day would be **November 18th**. Thanks for the e-mail! I've definitely enjoyed my time at Kellys and have nothing but good things to say about it. I've been studying for the CPA exam, and unexpectedly got a call from a recruiter offering a job at the CPA firm PricewaterhouseCoopers... I didn't expect to leave so soon. PwC hosts many networking and social events, I'll definitely see if I can make Kellys one of the stops! Thanks for all of your help. I'll miss all of the people I've met!

Justin
(484)557-0962

Talk to you soon,
Justin

On Thu, Nov 13, 2014 at 12:38 PM, Angie Mitchell <angie.mitchell1313@gmail.com> wrote:
Hello Justin,

I'm writing the schedule this week and just wanted to make sure when your last day was so I could get you as many good shifts before you leave us. You have been a fantastic addition and felt like you were just settling in so we will miss you!

Let me know if you can please.

Angie Mitchell
484.620.0376

From: **Ryan Henry** ryan.henry.us@gmail.com
Subject: House Keeping
Date: November 16, 2014 at 12:09 AM
To: **Angie Mitchell** angie.mitchell1013@gmail.com, **Gene Mitchell** genemitchell13@gmail.com

Angie,

I sat down with Gill and explained the importance of being able to handle stressful tables and difficult people even when they may be challenging. We discussed tools for dealing with those kinds of situations better in the future. She seemed to understand and acknowledged that she could have done a better job and is clear that she must do better in order to properly take care of guests, to be fair to the restaurant, and to be fair to the other pooling servers.

From: **Sarah Clark** clarksa148@yahoo.com
Subject: Schedule
Date: November 16, 2014 at 1:45 PM
To: Gene Mitchell genemitchell13@gmail.com, Angie Mitchell angie.mitchell1313@gmail.com
Cc: Ryan Henry ryan.henry.us@gmail.com

Hi guys!

I figured I would shoot you this email now before it got too late.

I'm assuming that it was just a copy/paste error from this past week, but I noticed that I was not put on the Kelly's schedule for this upcoming Thursday and Friday. I am available to work if you need me, and the last thing I want to do is butt someone out of a shift, but I just wanted to let you guys know! (Also, I apologize if you heard any of this from Robin; I'm not sure why she took it upon herself to bring this up to anyone, as I never had a conversation with her about it.)

Also, not sure how you guys do on the night before Thanksgiving, but I know it's a huge drinking night, so if you need me, I'm also available for this night since I won't have school.

As always, let me know if you need anything!
Sarah :)

From: **Erin Sheeron** erin@sheeron@yahoo.com
Subject: December Days off
Date: November 17, 2014 at 10:24 AM
To: **Angie Mitchell** angie.mitchell1313@gmail.com, **Gene Mitchell** genemitchell13@gmail.com

Hello,

I need off on the following days in December, if possible.

December 6th, 12th-14th, 23rd-28th & the 31st.

Also, I'm not sure if Chris told you but I'm pregnant (due April 8th) which is why I haven't been working upstairs or doing any heavy lifting at work. I'm going to try to work as long as I can but will give you plenty of notice on when I'm leaving and hope to come back in the spring.)

Thanks!

From: tinydancer013@yahoo.com
Subject: Re: Schedules 11/24 thru 11/30
Date: November 26, 2014 at 12:19 PM
To: angie.mitchell1313@gmail.com

I've already told this to Ryan, but I have my Xmas show the weekend of the 5th-7th of December (Friday-Sunday). So I will not be able to work. Thank you!

Sent from my Verizon 4G LTE Smartphone

----- Original message-----

From: Angie Mitchell
Date: Mon, Nov 24, 2014 12:54 PM
To: tinydancer013@yahoo.com;
Subject: Re: Schedules 11/24 thru 11/30

Yes! I have you on exception!

On Nov 24, 2014, at 12:52 PM, tinydancer013@yahoo.com wrote:

I cannot attend the class next Monday b/c I have a show at 9am. I will figure something out I guess

Sent from my Verizon 4G LTE Smartphone

----- Original message-----

From: Angie Mitchell
Date: Mon, Nov 24, 2014 12:35 PM
To: Angie Mitchell;
Cc: Gene Mitchell; Kristin Lang; Mike Bevevino; Kathy Kerner; Cesar Fajardo; Patrick; Chris Healy; Jillian Miller; Elisa McClatchy; Mike Inglese; Taryn Dillon; Jay; Bob Stedford; Deb Zullo; Melissa McCarthy; Sarah Clark; Chris Young; Tim Kane; Erin Sheeron; Caveman Joe; Melissa; Maria Coppa; Kris Flood; Ed Abel; Gillian Daley; Robin Helms; Tyhle Neal; Bailey_mike31@yahoo.com; Paco; Francisco; Joe Ferry; Evan Schoettle; Adrienne; Randy Berman; Joe Abel; Michael Alehouse Busser; Colin Alehouse Busser; taylor.marcus79@yahoo.com; William Schoof; Ashley Little; Anthony Gigantino; Ryan Henry; Kristopher Whitby; Justin Rush; Brenden Hugs; Danielle Cafaro; Geoff Schweer; Stephanie Wilkerson; trich806@yahoo.com; arsulton32@yahoo.com; sunshinekm11@gmail.com; Kate Coogan; Dave Erwin;
Subject: Re: Schedules 11/24 thru 11/30

Hello everyone,

I need to turn in the class attendance roster today for all bouncers, servers and bartenders whose certification is lapsed. If you are a new hire with active certification, please provide so I can update my roster list with your certification information.

Otherwise, please let me know if you will be in the required training course next Monday. If you will not, please let me know how you intend to obtain the certification by December 15th. The online course is \$25, but the classroom attendance Monday morning is company paid.

To date I have only heard from 3 people

Robin
Kathy
Taryn
Anthony

From: Kelly McKay <kupstinski111@gmail.com>
Subject: Re: Just a question
Date: December 2, 2014 at 8:38 PM
To: Angie Mitchell <angie.mitchell1313@gmail.com>

It mightve been eight

On Dec 2, 2014 8:26 PM, "Angie Mitchell" <angie.mitchell1313@gmail.com> wrote:

I only show you logged 8 hours training at Flips. You had mentioned 10. Can you let me know please?

On Dec 1, 2014, at 10:04 PM, Kelly McKay wrote:

I over heard you and gene talking today and couldn't help but hear that you are looking for a bartender for flips maybe? I have over 3 years bartending expierence and was a bartender right up until i got this job:) i am used to large volume and quick paced work. .. i worked at mcsheas in narberth as a bartender on the weekends as well as day bar. I could give you my old managers # for a reference. I would love a shot at maybe just observing a shift even? If that would help u guys out. I could def bartend a night or two.

Lastly, i will bring my ramp card to work on wednes:) ill have my car back tomo thank god!

Thanks a lot

-kelly

Angie Mitchell
484.620.0376

From: **Gene Mitchell** genemitchell13@gmail.com
Subject: Re: Schedule
Date: December 9, 2014 at 8:24 PM
To: Kristin Flood llimami1105@gmail.com, Kate Coogan katecoogan@yahoo.com, Angella Mitchell angie.mitchell1313@gmail.com

Kris

I think it would be easiest if we all group communicated. Seems like there is a lot of confusion and this should keep everyone in the mix.

I was told that you can't work 5 shifts per week due to personal constraints with meetings.

You have 4 shifts this week. I can not have you at the ale house after this week. I did think that KT explained the reason for the shift to Kellys. If not one of us will sit with you to go over in detail. I know you have a family, commitments and to not know what is happening is not fair.

I also said in the meeting I would not make any changes until after the holidays. You will have 4 shifts per week at Kellys but keep in mind we are closed 2 days for christmas and 2 for new years so week of 22 and 29 you will most likely have 2 shifts thru no fault of anyone.

My suggestion to you would be yes start looking around. I say this as if I were you I would want to know that no matter what you had your 4 shifts. At this moment I believe you will get 4 but now with only being at Kellys there is a slight uncertainty.

We like having you on the team just do not like the drama at times which was discussed in the meeting.

Hope this makes sense.

Best Regards

Gene Mitchell
Cell 610-203-2674

On Dec 9, 2014 4:17 PM, <llimami1105@gmail.com> wrote:

Hey Gene,

You told me before and also at the meeting at Kelly's if I had a problem to talk to you about it. It was mentioned to me that I was being moved over to Kelly's full time I didnt hear this from u guys so I am unsure of what's happening. If I am being moved to Kelly's I'm only on 2 days there and also working tonight and thurs day lunch at the ale house. I guess my question is if this is my permanent schedule having only 2 shifts at Kelly's? Christmas is coming and also I have a family to support with me being the only income right now. Didn't know if I should start looking for a 2nd job or not? I'm just really confused about what's going on. If you could please let me know I would greatly appreciate it. I love working for u guys. You both have been great to me.

Thanks,
Kris

Sent from my iPhone

From: Robin robincat@yahoo.com
Subject: Re: Staff Meeting
Date: December 12, 2014 at 10:54 AM
To: Angie Mitchell angie.mitchell1313@gmail.com

So exciting! Thank you and I will be sure to make it.

Additionally, I feel that with all the craziness at the end of the treats for troops event I never said a proper thank you. I appreciate being included in that special night and being part of the cause. Also, I did not realize my pay came from you and Gene. I hope that next year I can be part of the event again and would like to volunteer my time. I brought donations with me and would like to do more so next year I am happy to give that shift.

If there are any similar events your network of bars participate in I would like to volunteer so please let me know.

Thank you very much.

Sent from my iPhone

On Dec 12, 2014, at 10:14 AM, Angie Mitchell <angie.mitchell1313@gmail.com> wrote:

Hello everyone,

We are going to have a very short staff meeting at each location on Friday night December 19th, Alehouse is at 4pm, Flips is at 5pm and Kelly's is at @ 6pm. You are all encouraged to attend as Santa might be there to deliver some goodies! This year we are starting a new tradition and Gene & I would like you all to be involved.

Thank you!

Angie & Gene

From: **Melissa McCarthy** melissamccarthy91@hotmail.com
Subject: RE: Staff Meeting
Date: December 12, 2014 at 2:09 PM
To: Angie Mitchell angie.mitchell1313@gmail.com

Not a problem! I was available about 6-7 weekends in the Fall but was never put on the schedule for some reason (I'm assuming Chris might have misplaced the hard copy and email copy I gave him back in September. I know it was hectic with all the new hires). Right now I am in season for indoor field hockey and track, but I should be available come March for weekend shifts.

Miss the gang! Thanks for understanding.

Subject: Re: Staff Meeting
From: angie.mitchell1313@gmail.com
Date: Fri, 12 Dec 2014 13:37:59 -0500
To: melissamccarthy91@hotmail.com

I have been meaning to ask you Are you still available for shifts or no? I have not removed you from the roster but have been meaning to ask.

Thanks Melissa!!

Thanks, Angie

On Dec 12, 2014, at 12:11 PM, Melissa McCarthy <melissamccarthy91@hotmail.com> wrote:

I am unavailable as I coach Friday nights 330-930. Happy Holidays and hope to be back in action soon :)

> Subject: Staff Meeting
> From: angie.mitchell1313@gmail.com
> Date: Fri, 12 Dec 2014 10:14:26 -0500
> CC: genemitchell13@gmail.com; Krishn0618@gmail.com; mibevevina@gmail.com; tinydancer013@yahoo.com; cesar_fajardo@hotmail.com; ppriory@gmail.com; chris.healy38@gmail.com; lillianmm@me.com; ehop13@aol.com; seglem1@gmail.com; Laryndillon5@gmail.com; philly_jay2006@yahoo.com; bstedford@gmail.com; gypsy1999@verizon.net; melissamccarthy91@hotmail.com; clarksn148@yahoo.com; cbyoung77@yahoo.com; tkrides5@msn.com; erlinsheeron@yahoo.com; cavemanjoe881@gmail.com; missa8602@aim.com; mccpp804@live.kutztown.edu; lilmami1105@gmail.com; shhgrayed22@aol.com; glin3590@hotmail.com; robincatt@yahoo.com; Tyhieneal@gmail.com; Bailey_mike31@yahoo.com; chitodorme@aol.com; pancho-26@live.com; thafordforrolla@gmail.com; rechoastle@yahoo.com; thymian33@gmail.com

From: **Erin Sheeron** erinsheeron@yahoo.com

Subject: Last day

Date: December 20, 2014 at 10:14 PM

To: **Gene Mitchell** genemitchell13@gmail.com, **Angie Mitchell** angie.mitchell1313@gmail.com, **Chris Young** cbyoung77@yahoo.com

Hi Guys,

I just wanted to give my notice. My last day will be January 11th (or sometime that preceding week). I'm starting to get into that uncomfortable phase of pregnancy and those steps are not my friend anymore, lol! I hope to come back in September though.

In January I need off on the 4th and the 9th, if possible.

Thanks so much, it's been a pleasure working for you!

Erin

From: Erin Sheeron erinaneeron@yahoo.com
Subject: Schedule
Date: January 4, 2015 at 12:40 PM
To: Chris Young chyoung77@yahoo.com, Angie Mitchell angie.mitchell1313@gmail.com

Hey Chris,

I can do the brewers for you on Thursday if you want. Tuesday and Sunday I probably won't make much so I don't mind taking on a third shift, even a fourth if you need me to since I know you're short staffed this week. And, like I said, if you need me to fill in for another week or two that's fine too. Let me know.

Erin

From: **Geoff Schweers** geoffschweers@verizon.net
Subject: Time off Jan 29 and 30
Date: January 4, 2015 at 1:10 PM
To: **Angie Mitchell** angie.mitchell1213@gmail.com, cbyoung77@yahoo.com

Hi,

I need off on January 29 and 30 for a rehearsal dinner and wedding. Thanks.

Geoff

From: **Sarah Clark** clarksp142@yahoo.com
Subject: Spring semester availability
Date: January 15, 2015 at 2:59 PM
To: Gene Mitchell genemitchel12@gmail.com, Angie Mitchell angie.mitchel1213@gmail.com, Ryan Henry ryan.henry.us@gmail.com

Hi guys,

Since the spring semester is just around the corner for me (next week, actually--already!), I figured I would just let you know about my updated availability.

Apparently, according to my program director, I took too many classes my first year and a half (!!!), sooooo this semester all I need to complete is one more class and put the final touches on my thesis. My one class meets Thursdays 6-9, and I have the first draft of my thesis already complete, so my adviser and I will spend this semester just revising and editing. So with that said, this final semester should be a breeze!

Monday: Available am/pm
Tuesday: Available am/pm
Wednesday: Available am/pm
Thursday: *No am/available at 9:30 - close*
Friday: Available am/pm
Saturday: Available am/pm
Sunday: Available am/pm

Thanks for all your flexibility my first couple of semesters! Feel free to slap me on the schedule any time you need me!

Thanks!
Sarah :)

From: **Ryan Henry** ryan.henry.us@gmail.com
Subject: Re: schedule DRAFT Kelly's Feb. 9-15
Date: February 6, 2015 at 4:13 PM
To: Angie Mitchell angie.mitchell1313@gmail.com
Cc: Gene Mitchell genemitchell13@gmail.com

Will do.

Tonight is Marcus' first night back after last week. I plan on sitting him down to discuss exactly what we need from him, per your previous email, and what I would like to see from him in the upcoming weeks. He will know very clearly that his work will be monitored right now and that it is very important for him to show that he wants to be here.

Kris and I have spoken about close-open numerous times. She wants to work Thursday nights and deserves to have it. I told her I will not take her off Friday morning to give her Thursday night and she has been very happy with doing both. She wants both. I spoke with her again today. She pointed out that she is usually early for each shift, does a great job with side work, works hard during her shifts, and is up early on Fridays anyway, so she wouldn't be sleeping. I can verify that she has been very pleasant, reliable, and sharp, consistently, which is why I am okay having her stay as is. If I start to see any lag, I'll address it before it becomes an issue.

Anthony has gone from frustrating me to really getting me worked up. I sat him down last Saturday night before his night shift and told him how embarrassed I was by his habitual performance. We talked on several occasions last month about bar organization, cleanliness, side work, personal professionalism, and helping the server when needed. When we talked in the office on Saturday night he seemed to be surprised and had a hard time understanding why I was upset. I was upset because he wasn't following or comprehending my continued instructions. I have the sense that he doesn't take his work here very seriously. I will continue to monitor his work. He needs to regain my confidence in him to do the job and I told him as much in a professional manner. He looked like he was struggling at the Super Bowl party as well, so if there is not immediate improvement, I would suggest we let him go and hire another male bartender who will take the job more seriously. That may sound harsh, but I do not wish to see the bar suffer or to continue to waste my own time and the time of other bartenders who are getting fed up with picking up his slack.

In short, I gave Anthony an opportunity to pick up good shifts and gave him a Sunday off to rest, for which he had asked, and so far he has not performed as expected and has complained about working a lot. So, this next weeks schedule has him back to his two usual morning shifts. I am hoping we will see him step it up, but if he does not, I will not vouch for him.

Thanks,

R

On Fri, Feb 6, 2015 at 11:04 AM, Angie Mitchell <angie.mitchell1313@gmail.com> wrote:

Remove Open Door Party Wednesday. Still have bouncer just in case we get hit from the post Long Island night. Keep 2 bartenders, but just because Gene wants 2 on during away basketball games in case we get people watching the game, we don't want to have a problem.

Please ask Mike if he thinks we need a bouncer on Tuesday nights?

Ask Kathy if she wants Friday, I just added her Fri/Sat as a comment from Gene. I don't want to schedule her if she doesn't want it.

Did you speak with Marcus? Tonight I want to see improvement, and we will be checking tomorrow morning. otherwise we will look for another barback as please let him know this is a tough work

From: Sarah Clark clarkst48@yahoo.com
Subject: March 6-8
Date: February 13, 2015 at 6:29 PM
To: Gene Mitchell genemitchell13@gmail.com, Angie Mitchell angie.mitchell1313@gmail.com, Ryan Henry ryan.henryus@gmail.com

Hi guys--

I know awhile back I requested off for March 6-8 to run in a charity race to honor a friend that survived a severe brain disease; I have, however, decided to back out of the race for financial reasons. With graduation looming and my sister's wedding coming up, I need to focus more on money, so if I could, I would like to retract my request off for that weekend.

Hopefully this doesn't cause any issues!

Thanks!
Sarah

10

From: Sarah Clark clarkst142@yahoo.com
Subject: The End!
Date: May 4, 2015 at 11:02 AM
To: genenitchell13@gmail.com, angle nitchell1318@gmail.com
Cc: Ryan Henry /ryan.henry.us@gmail.com

Hi guys,

So I decided to sit down and look at my calendars and my endless list of things to do, and I've decided to finally give you guys an ending date for my employment.

Of course I want to make sure I help you out as much as possible for Villanova's graduation. With that said, I'd like to make that Sunday May 17th my last available day. I will most likely be able to help out after that for coverage or if you're in a pinch. I just don't want to be put on the schedule and find that I'll be unavailable to work it--the last thing I want to do is inconvenience anyone. This will also provide me the ample time I will need to get everything in line for my move.

I'm writing this while on my way to New York for an interview, and it's a bit surreal. These past two years have flown by, and I can't express my gratitude enough for your flexibility and understanding with my constantly changing schedules and availabilities. Thank you for the opportunity to work with you and represent your brand. It's been a wild ride!

I was able to find an apartment in the city, so that's been a huge relief to have that part figured out. I move in May 31st; here's the new mailing address for any forwarding / paperwork purposes:
1954 1st Ave. Apt. 5Z
New York, NY 10029

Please, of course, contact me if you need anything from me. Again, thank you for everything. It's been such a pleasure working for you guys.

Sarah :)

Sent from my iPhone

82

#10

From: Gene Mitchell genemitchell13@gmail.com
Subject: Re: Check
Date: May 26, 2015 at 7:11 PM
To: Kristin Flood kilmami1105@gmail.com
Cc: Angelia Mitchell angia.mitchell1313@gmail.com

Kris

Thanks for getting back to me so fast. Schedule looks great.

I want to speak to ryan about the beer ordering first. Will send you the information.

Best Regards

Gene Mitchell
Cell 610-203-2674

On May 26, 2015 5:07 PM, "Kristin Flood" <kilmami1105@gmail.com> wrote:
Origlio delivery :

Check #1595
Amount: \$1349.03
That was with 20 empties the guy said.

Also I just wanted to say thank u to the both of u for giving me the opportunity to grow in ur business. Means a lot to me. I'll do my best in whatever I'm asked to do. I was wondering if I could keep the same schedule like I have this week.

Tues: 10:30-7
Wed: 7-cl
Thurs: 5-cl
Friday: double
Sat: 5-cl

So I have 3 ok slower shifts and 3 good shifts. Let me know if u guys are ok with that!

Will u guys let me know when we would have to place another beer order and were the sheets and stuff are or would Ryan tell me?

Thanks,
Kris

Sent from my iPhone

83

#10

From: tinydancer013@yahoo.com
Subject: Next week's schedule
Date: May 7, 2015 at 11:21 AM
To: Ryan Henry ryan.henry.us@gmail.com
Cc: Angie Mitchell angie.mitchell1313@gmail.com, Gene Mitchell genemitchell13@gmail.com

I totally forgot to mention that even though it's graduation next week, I'm still unavailable on Sunday. I also have a show on Saturday afternoon, but I'll be available after 5pm

Sent from my Verizon 4G LTE Smartphone

84

From: Sarah Clark clarksn148@yahoo.com
Subject: Re: Kelly's schedule
Date: May 3, 2015 at 10:33 PM
To: Angie Mitchell angie.mitchell1313@gmail.com
Cc: Ryan Henry ryan.henry.us@gmail.com, Gene genemitchell13@gmail.com

I just got a hold of Jon and he said he would work it for me. Thanks! Sorry for the confusion!

Sent from my iPhone

On May 3, 2015, at 10:17 PM, Angie Mitchell <angie.mitchell1313@gmail.com> wrote:

Hi Sarah. We have a master availability calendar and those dates were not indicated as requested days off so I scheduled you. This week is extremely busy. Do you know anyone who can work your shift?

Thanks, Angie

On May 3, 2015, at 6:20 PM, Sarah Clark <clarksn148@yahoo.com> wrote:

Hi Ryan and Angie,
I noticed I'm on the schedule for both Monday and Tuesday; I have an interview tomorrow (Monday) in NYC and I'll be staying the two days (both Monday and Tuesday) there. I brought this up to Ryan. I'm sorry!

-Sarah

Sent from my iPhone

On May 3, 2015, at 6:13 PM, Angelia Mitchell <angie.mitchell1313@gmail.com> wrote:

Next week we need all to make sure you arrive on time. We need to get ready for a very busy next week so let's pay attention to things we can improve.

-Bartenders, clean bottles, organize the back of bar and underside of each bar. Everyone likes to store things here and it looks terrible. The upstairs back bar looks terribly unorganized so let's get this looking tip top! I want only necessary items in view. Remove gum from under bar rail.

-Servers, lets organize the server stations, clean the back stairwell supply shelf, clean the kids seats, clean menu & check presenters, empty & clean all salt/pepper shakers, remove gum from under tables, note any wobbly tables or chairs

-Ryan-let's make sure all signage is current and presentable, get all neons & lights working, windows are clean, TV's are working, music etc.

Thank you everyone, busy weeks coming so please be on time!

Angie

<Kellys May 4- May 10 2015.xlsx>

#10
12

From: **Ryan Henry** ryan.henry.us@gmail.com
Subject: Re: Request off 5/9
Date: April 30, 2015 at 5:27 PM
To: Gillian Daley glin3590@hotmail.com, Angie Mitchell angie.mitchell1313@gmail.com

I have you off Saturday am on May 9th

On Thu, Apr 30, 2015 at 2:23 PM, Gillian Daley <glin3590@hotmail.com> wrote:

Requesting off Saturday morning may 9th. I will be available to work the night shift though! Thanks.
Gill

Sent from my iPhone

--
Ryan Henry
Kelly's Taproom| General Manager
1107 W. Lancaster Ave.
Bryn Mawr, PA 19010
Restaurant (610) 520-9344
Mobile (717) 586-0012
ryan.henry.us@gmail.com
www.kellystaproom.com

86

From: missa8802@aim.com
Subject: May 10th
Date: April 30, 2015 at 2:15 PM
To: ryan.henry.us@gmail.com
Cc: angle.mitchell1313@gmail.com

Hi Ryan,

I am requesting this Sunday off as it is Mother's day and will be travelling home to take my Mom out. Let me know if this is an issue.

Thanks,
Melissa

From: **Ryan Henry** ryan.henry.us@gmail.com
Subject: Re: May 2nd
Date: April 23, 2015 at 7:46 PM
To: **Melissa McKenna** missa8602@aol.com, **Angie Mitchell** angie.mitchell1313@gmail.com, **Gene Mitchell** genemitchell13@gmail.com

Melissa,

I did not have you off for that day, but now have you off for Saturday, May 2nd. Please CC gene and angie for any future request off emails to assure your request is recorded.

Thanks,

R

On Thu, Apr 23, 2015 at 10:47 AM, <missa8602@aol.com> wrote:
Hi Ryan,

I can't remember if I sent this date to you in one of my emails. I have a bachelorette that day and am unable to work. If this date is an issue let me know.

Thanks,
Melissa

--
Ryan Henry
Kelly's Taproom| General Manager
1107 W. Lancaster Ave.
Bryn Mawr, PA 19010
Restaurant (610) 520-9344
Mobile (717) 586-0012
ryan.henry.us@gmail.com
www.kellystaproom.com

From: **Ryan Henry** ryan.henry.us@gmail.com
Subject: Re: Days off in may
Date: April 22, 2015 at 2:57 PM
To: Chris Healy chris.healy38@gmail.com, Angie Mitchell angie.mitchell1313@gmail.com, Gene Mitchell genemitchell133@gmail.com

Mr. Chris,

I have you off on May 3,8,9,10,29,30, and 31. Thank you for letting me know ahead of time.
Please CC angie and gene for future requests off.

Thanks,

R

On Wed, Apr 22, 2015 at 2:39 PM, Chris Healy <chris.healy38@gmail.com> wrote:

Hey Ryan I just wanted to give you a list for May since its a hectic month for me.

I need off the 3rd,
8th 9th and 10th,
And 29th 30th and 31st

If any of this changes I'll let you know

--
Ryan Henry
Kelly's Taproom General Manager
1107 W. Lancaster Ave.
Bryn Mawr, PA 19010
Restaurant (610) 520-9344
Mobile (717) 586-0012
ryan.henry.us@gmail.com
www.kellystaproom.com

From: **Ryan Henry** ryan.henry.us@gmail.com
Subject: Re: May 14
Date: April 21, 2015 at 4:36 PM
To: **Caveman Joe** cavemanjoe881@gmail.com, **Angie Mitchell** angie.mitchell1313@gmail.com, **Gene Mitchell** genemitchell13@gmail.com

Joe,

I have you off on May 14th. Please CC angle and gene for future request off emails to assure the request is received.

Thanks,

R

On Tue, Apr 21, 2015 at 1:32 PM, Caveman Joe <cavemanjoe881@gmail.com> wrote:

Hey Ryan. I ment I need off may 14th

Ryan Henry
Kelly's Taprooml General Manager
1107 W. Lancaster Ave.
Bryn Mawr, PA 19010
Restaurant (610) 520-9344
Mobile (717) 586-0012
ryan.henry.us@gmail.com
www.kellystaproom.com

From: Ryan Henry <ryan.henry.us@gmail.com>
 Subject: Re: Kelly's Schedule April 20-26
 Date: April 21, 2015 at 4:33 PM
 To: tinydancer013@yahoo.com, Angie Mitchell <angie.mitchell1313@gmail.com>, Gene Mitchell <genemitchell13@gmail.com>

Kathy,

I have you off for May 1 and 2 and will keep you in mind on Saturday night. Please cc angie and gene for future requests off.

Thanks,

R

On Tue, Apr 21, 2015 at 3:43 PM, tinydancer013@yahoo.com <tinydancer013@yahoo.com> wrote:
 Unfortunately I have conflicts next weekend, May 1st and 2nd. I have a show Friday night the 1st, so I can't work. And Saturday night the 2nd they need me to work at McCloskey's b/c there are so many conflicts. If you're in a bind I could possibly work at like 11pm Saturday night at Kelly's, b/c they end up cutting a bartender after the dinner rush is over

Sent from my Verizon 4G LTE Smartphone

----- Original message-----

From: Ryan Henry
 Date: Sat, Apr 18, 2015 3:03 AM
 To: Angie Mitchell;Gene Mitchell;Kathy Kerner;cesar_fajardo@hotmail.com;Chris Healy;Jillian Miller;Elisa;Mike Inglese;Taryn Dillon;Bob Stedford;Deb Zullo;Melissa McCarthy;Sarah Clark;Chris Young;Tim Kane;Caveman Joe;Melissa McKenna;Kris Flood;Ed Abel;Gillian Daley;Robin Helms;Tyhie Neal;Michael Bailey;Paco;Francisco;Evan Schoettle;Randy Berman;taylor.marcus79@yahoo.com;Ryan Henry;Brenden Hugs;Geoff Schweer;Corey Sutton;Kate Coogan;Dave Erwin;Daniel Smith;John Metz;Adrienne;Matt Roy;Natalia Rusu;Sybil.thomas@hotmail.com;Matt Effinger;Caroline Stanley;Patrick DeMund;Nigel;Jayson;John;Troy;Lisa Lannetti;Chelsea Heyward;Jillian Maher;
 Subject: Kelly's Schedule April 20-26

As most of you already know, our schedule has changed a little. I am unable to schedule close-to-opens or doubles since it does effect performance. This policy has been lenient through the winter but will be enforced again now as we need to be sharp during the crazy end of school year season. If you have requests off or if you are switching shifts, please notify myself and cc gene and angie to assure that your switch or request has been accurately understood and changed.

The late night bank drops are also back as you know. I know you all have some concerns about logistics but it will be worked out. The banks, **including** cc slips, bank slip with all appropriate information (i.e. payouts, cc tips, etc), and drop will be individually deposited into the top safe **BY 2:30AM AT THE LATEST NO MATTER WHAT!** Nightly cash tips are to be appropriately dispersed as usual. This new procedure is not meant to penalize anyone but to ensure everyone is getting the right amount of money. We will do our best to get the tips out by the following day so that you are always leaving with money. Any questions, please do not hesitate to talk to Angie and myself.

Please note the new specials and promote them to the guests. The chalkboard will hopefully be fully updated by tomorrow. Also, the beer list will be updated shortly and be sure to know our new beers and be able to guide our guest's dinner experience by keeping up with the strength, style and price of each one.

Thank you all for your hard work.

From: **Chris Healy** chris.healy38@gmail.com

Subject: Tomorrow

Date: April 19, 2015 at 2:01 PM

To: angie.mitchell1313@gmail.com, Gene Mitchell genemitchell13@gmail.com, Ryan Henry ryan.henry.18@gmail.com

Hey guys, I talked to Joe and he and I are going to switch tomorrow. He will take my closing shift and I will take his open, I have a fair amount of regulars that come in for lunch and I don't wanna lose them, just need a confirmation

#10

From: Ryan Henry <ryan.henry.us@gmail.com>
Subject: Re: Dates - Jon Metz
Date: April 16, 2015 at 8:17 PM
To: Jonathan Metz <jmetz31@gmail.com>
Cc: Angie Mitchell <angie.mitchell1313@gmail.com>, Gene Mitchell <genemitchell13@gmail.com>

Approved: You are off on April 30th as well.

Thanks,

R

On Thu, Apr 16, 2015 at 10:22 AM, Jonathan Metz <jmetz31@gmail.com> wrote:

I don't usually work Thursday nights, but just to be sure. I'm having an art show April 30th, and can't work that evening either. Just wanted to be sure. Thank you.

Jon Metz

On Wed, Apr 15, 2015 at 3:17 PM, Ryan Henry <ryan.henry.us@gmail.com> wrote:

These request off dates are approved:

April 24-26
April 28
May 3
May 9
May 22-25
June 18-19

Thank you for the heads up Jon. We're happy to be flexible with schedule as much as possible. If the dates change or you need to request another day off, please send an email to the three of us so as to avoid any confusion. I never mind helping to find shift covers.

On Mon, Apr 13, 2015 at 9:13 AM, Jonathan Metz <jmetz31@gmail.com> wrote:

Here are some dates in the next couple months I will be unavailable to work due to commitments to work, or other events I am participating in. I wanted to send this to you in advance as to avoid any incidents like this past Sunday.

April: 24-26, 28
May: 3, 9, 22-25
June: 18, 19

Thank you,
Jon Metz

93

#10

From: Jonathan Metz <jmetz31@gmail.com>
Subject: Fwd: Dates - Jon Metz
Date: April 13, 2015 at 2:55 PM
To: Angie Mitchell <angie.mitchell1313@gmail.com>

----- Forwarded message -----
From: Jonathan Metz <jmetz31@gmail.com>
Date: Mon, Apr 13, 2015 at 9:13 AM
Subject: Dates - Jon Metz
To: Ryan Henry <ryan.henry.us@gmail.com>

Here are some dates in the next couple months I will be unavailable to work due to commitments to work, or other events I am participating in. I wanted to send this to you in advance as to avoid any incidents like this past Sunday.

April: 24-26, 28
May: 3, 9, 22-25
June: 18, 19

Thank you,
Jon Metz

94

#10

From: Jonathan Metz <jmetz31@gmail.com>
Subject: Re: closing report 3/13
Date: April 13, 2015 at 2:55 PM
To: Angelia Mitchell <angie.mitchell1313@gmail.com>

I requested off both in email and by via text. It seemed to have been a miscommunication, he had me covered for Friday but not Sunday where he expected me find my own coverage and I was under the impression he'd already talked to people. I recently emailed him a list of dates I'll be doing events for work and things I'm involved in for the next couple months, I'll send that to you as well.

Jonathan Metz

On Mon, Apr 13, 2015 at 10:52 AM, Angelia Mitchell <angie.mitchell1313@gmail.com> wrote:
Thank you Jon,

This information is helpful. When did you request off? Did you do so by email? Ryan has been lax on some key priorities to organization so want to get this resolved. I don't want to point fingers or cause drama just want to revise our processes so this does not repeat itself. Any requests off please send by email and copy me in on so I can make sure the schedule is correct before it goes out. We have a master availability calendar that gives note of any requests off. I did not see your request so did not ask anyone to fill your shift. I have many people who would have loved to work so please copy me so we take care of those who need personal time.

Thank you for your response, much appreciated!

Angie

On Apr 13, 2015, at 9:06 AM, Jonathan Metz <jmetz31@gmail.com> wrote:

Angie,

There seemed to have been a miscommunication between me and Ryan. I had requested off for that week due me traveling for Spring Break. He had accidentally put me on the schedule and I was under the assumption he was going to find someone to cover for me. He found someone to cover for me on Friday, but not Sunday. He had expected me to find my own replacement for Sunday, I was under the impression he would do that since it c sounded like he had actually talked to other bartenders about the shift already. I had come back early from my trip Saturday to help my sister move into a new apartment so luckily when Ryan called me around 1pm Sunday afternoon, I was in the area to come in. I would never just not come in for a shift, I've never even been late. I can assure you I am a dependable employee and this will not happen again. I heartily apologize for the mix up.

I did not see a group of that size when I arrived at the bar just before 2pm, or anyone come in for that reservation unless Melissa attended to them before I arrived. I definitely did clock out last night, my clock out slip was left on the register now that I think of it before I left. I was not there Saturday night so I assume you mean Sunday night.

Sorry again for the misunderstanding.
Jon

On Mon, Apr 13, 2015 at 7:47 AM, Angelia Mitchell <angie.mitchell1313@gmail.com> wrote:
Good morning Jon,

Curious what happened yesterday morning with your shift? I moved Troy over until you could

95

get there so did he get tipped out for covering for the bar? I think he was there for an hour before you arrived.

I know Sundays are hit or miss and we appreciate you picking up this day but it's important that we can count on you to arrive on time to open the bar.

There were a lot of issues as to why the bar was left unstaffed from 11-1:30 when I moved Troy over that I need to work with the staff to make sure contact numbers are available to call each other but did Melissa ever try to call you?

Also, I had a group from an area Law Association that was supposed to come in at 1:30 with a small group of 10-15 following a spin class at Villanova. Name on the reservation was Mauirelle. I'm not sure what time you got in as it appears you did not clock out Saturday night, but did they show up?

Thank you for the answers to the above,
Angie

> On Apr 12, 2015, at 11:52 PM, Jonathan Metz <jmetz31@gmail.com> wrote:

>

> Closing report 3/13

>

> Closed doors 8:30 pm. No incidents. Light at far end of the bar towards the bathroom is out. Left yurnal over flowed and was marked off. Bank started and is left at \$500.

>

> Melissa

> Out of drawer:\$28

> Tips:\$87

>

> Gill

> tips: \$67

>

> Jon

> tips: \$33

#10

From: Michael Bevevino mjbavevino@gmail.com

Subject: Schedule

Date: April 1, 2015 at 2:50 AM

To: Gene Mitchell genemitchell13@gmail.com, Angie Mitchell angie.mitchell1313@gmail.com, Ryan Henry ryan.henry.us@gmail.com

Gene,

I forgot to put in my closing email that Sarah is working my Thursday lunch shift this week. I will be in at 5 for the night shift.

Thanks,

MB

Sent from my iPhone

97

From: **Sarah Clark** clarkst113@yahoo.com
Subject: **More dates!**
Date: **March 17, 2015 at 4:33 PM**
To: **gabrielcheat139@gmail.com, angiechitchou1313@gmail.com**
Cc: **Ryan Henry** ryan.henry.us@gmail.com

Hi guys--

As my academic year is nearing an end, I have some more dates I'd like to request off. There is an Honors ceremony at which I'll be receiving an award that I'd really like to attend; it's in the afternoon, so I should be available for the night shift. This is Saturday April 18th, and I can be available after 7 or 9 pm. (It all depends on if my parents will be coming.)

Also, I have to defend my thesis to the school at the end of April. They're splitting the presentations into two nights, and I don't know which night I'll be presenting. It will either be Wednesday April 29th or Thursday April 30th. I will let you know when I know which night I'll be presenting, but I just wanted to bring this to your attention.

Thanks!
Sarah

Sent from my iPhone

#10

From: Michael Bevevino mjbevevino@gmail.com
Subject: Schedule
Date: March 12, 2015 at 3:14 PM
To: Gene Mitchell genemitchell13@gmail.com, Angie Mitchell angie.mitchell1313@gmail.com

Hey Gene and Angie,

I've got a quick question about this week's schedule. Tomorrow night I'm scheduled "5-Cl. up." I gather that we want the upstairs up and running for the Villanova game. My question is, do you want me upstairs for the entire night? The reason I ask is because it would be a lot more tedious for me to do the work upstairs, and then come downstairs and deal with the drawers and payouts for the bouncers as well, and then do the work in the office. I'm also not sure that having Jon as the only male presence behind the main bar is good for either sales or tips. He may be competent but he's still learning prices, the POS system, etc... Please let me know your thoughts.

Thanks,

MB

99

From: Michael Bevevino mbevevino@gmail.com
Subject: Request Off
Date: March 4, 2015 at 7:47 PM
To: Gene Mitchell genemitchell13@gmail.com, Angie Mitchell angie.mitchell1310@gmail.com, Ryan Henry ryan.henry.us@gmail.com

Gene/Angie,

I'd like to take off Saturday, April 4th. That's Easter Saturday...the students will be on break, so please let me know if I should find coverage for the shift.

Thanks,

MB

#10

From: Sarah Clark clarkn148@yahoo.com
Subject: Dates for the future
Date: February 23, 2015 at 6:18 PM
To: Gene Mitchell genemitchell13@gmail.com, Angie Mitchell angie.mitchell1313@gmail.com
Cc: Ryan Henry ryan.henry.us@gmail.com

Hi guys--

Just a few things/dates for the upcoming future that I know for sure I'll need off for:

Saturday May 2nd is my sister's bachelorette party, and since it'll be in Harrisburg, I'll also need off the following Sunday.

My graduation is Saturday, May 9th. I'm not sure if my dad will be flying in from Chicago or not for this, so I'm just going to play it safe and request off the whole weekend just in case he does decide to come into town. So, that would be Friday May 8th-Sunday May 10th, I'll make sure to keep you informed of any changes or updates regarding this.

Lastly, there is one more thing I'd like to bring up. After my experience in NYC this past summer and with my upcoming graduation date AND the fact that my lease is up at the end of May, I'm planning on making my move to New York come end of May/beginning of June. I have started to apply for jobs in NY (early, I know, but I'd much rather start early than too late) so that hopefully I can have something lined up by the time the transition takes place. Oxford has pretty much told me that I have a job if I want one, so I'm looking to them as a "safety school" for my job search. A lot of this is up in the air right now because there are so many unknowns, but I just wanted to keep you guys informed on what my plan is for the next couple of months as well as the end of May/beginning of June. Again, I'll be sure to keep you guys as up-to-date as possible with any changes!

Many thanks!
Sarah :)

101

From: Sarah Clark clarksm148@yahoo.com
Subject: March 6-8

Date: February 13, 2015 at 6:29 PM

To: Gene Mitchell genemitchell13@gmail.com, Angie Mitchell angie.mitchell1313@gmail.com, Ryan Henry ryan.henry.us@gmail.com

Hi guys--

I know awhile back I requested off for March 6-8 to run in a charity race to honor a friend that survived a severe brain disease; I have, however, decided to back out of the race for financial reasons. With graduation looming and my sister's wedding coming up, I need to focus more on money, so if I could, I would like to retract my request off for that weekend.

Hopefully this doesn't cause any issues!

Thanks!
Sarah

Andrew Dalke

(Message with 1 (503) 247-6410
5/20/15, 10:41 AM)

Hi Angie, sorry again for the delay. My social is ~~XXXX~~
~~XXXX~~ My home address is 370 Lancaster Avenue,
Haverford, Pa 19041. Finally, my birthday is 5/12/1994.
Please let me know if you need any other information.

Great. Please also bring a voided check, when you
bring in the paper. Or a bank letter. This week will be a
check-out and I continue. When did you train?

I trained on the 24th for 2 hours, the 26th for 3 and I'm
pretty sure my last training training shift was a full shift
on the 30th.

Thank you. I will be in touch with you soon.

Anytime. Again, please let me know if you need any
other information besides the check.

Your phone number is 503-247-6410. I will be in touch with you soon.
Please let me know how much you want to pay for the training.
This is not.

Ok, I will make sure to bring those in with me
tomorrow. Sorry again for the added stress.

Thank you. I will be in touch with you soon.
Please let me know how much you want to pay for the training.
This is not.

We had discussed it early on and I have all of the
paperwork filled out. I brought it with me one day but
forgot to take it out of my backpack. Somewhere
along the line it then slipped both Ryan's and my
mind. Again, I sincerely apologize for this.

5/20/15, 12:00 PM

04-04-162385 E4
Case No. Official Exhibit Inc.

Disposition: Identified ☒
Rejected ☐ Received ☒
IN THE MATTER OF:

Date: 3/24/16 Witness: Reporter: imon

No. Pages: 1

Ryan should have it

Ok no problem. Hope everything is in order. Please let
me know if you need any other information.

5/20/15, 1:00 PM

123000220. It's in Oregon.

Message received
from William. Thanks

No problem. Again, let me know if you need any more info.

8/12/15, 10:47 AM

Hi Angie- hope all is well. I just wanted to check in about my shift tonight. I have Chris Healy covering for me, but he's worked a lot of hours this week. Everyone wanted me to check in with you to make sure it's still ok if he covers for me.

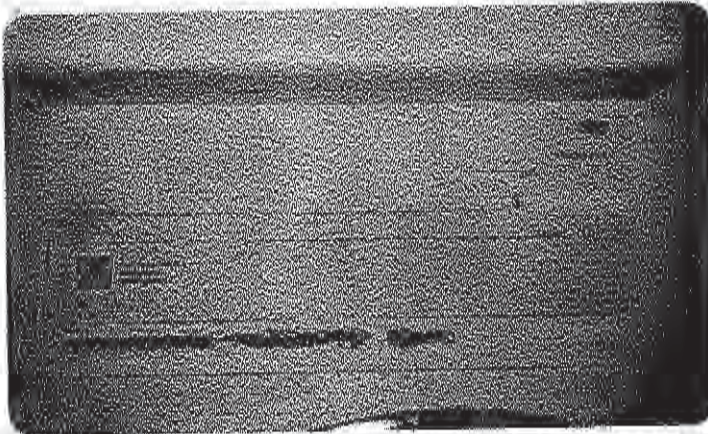
Message received from William. Thanks

Delivered

Ok thank you

3

SMS with 6104910086
5/2/15, 5:02 PM



Hey Angie, it's Troy here's a check (Checking account) , katie said she needed one on Sunday to give to you but I figure I just send it to you now. If this picture doesn't come through for some reason lmk.

5/2/15, 9:03 AM

Heyy ang, forgot the email, i was extremely tired, I will send it shortly, also is there anyway we work it put so I'm able to have one day off this week

I don't care which day. I just really need to 're charge.

Absolutely. How about Wednesday? I will work with Katie and get her to borrow a Kelly's Truck for a solid day.

5/2/15, 3:02 PM

Wed great

Thanks ang

5/12/15, 3:14 PM

Hey Troy, I was looking at the settlement report and it looks like

Settlement report should be in the bag I dropped

If you mean email, Katie told me to email her for no on??

Now**

You must have misread it. No one has reported. I read that from the OSAP.

She has Sunday as well as Monday's (email and settlement reports (the ones printed from the cc device)

Okay I,will foward both now

5/12/15, 5:42 PM

Just copy gene me and Katie. I think you have a wrong email for her though. katecoggan@yahoo.com. You have "Katiecoggan". Lose the "i".

5/21/15, 12:06 PM

Hi Troy, could you work Kellys day shift today? Bill did not show up.

He didnt show?!?!? Yeah def I just have to be out by 4p.m. bc I have to be at a reception ..

Was he aware he had work?

Excellent. I will find someone to get there at 4. When can you get there?

Ohh never mind I thought u said tomorrow

No today. Crap.

Ummm let me see I'm in king of Prussia now I'm gonna go home get changed, I can get by 130

Is that okay??

Yes. Could you work bills entire shift? Would be until close.

Def

Ok thanks. See you soon.

Come on Ang you know I'm a natural born closer!!
Haha

I'm am scheduled for today at seven fyi, just so u know to Ang.

Ok. Thanks.

Let them know I'm prob gonna be there more like 2:30

Ok. I am getting slammed but will make it.

I'm rushing as fast as I can Ang , I'll be there as soon as possible.

Kris is coming just come in at 5

5/23/15, 4:37 PM

Hi Troy can I put you at flip's next Friday afternoon 3-6 before you head to Kelly's?

DEF!!! Chris is a good guy , I'd be glad to help him and you guys out over there.

5/23/15, 6:04 PM

You are such a trooper. Thank you!!

Thanks Ang Any Time.

5/12/16, 6:00 PM

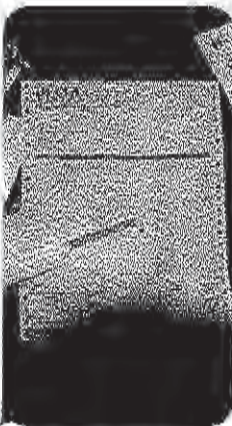
Troy let me know what's up. Kris called and you were at 415

I'm here now the cab I called to take to work was an hour and half late,

Traffic made the trip ten times longer add to the fact of rain... lol worst birthday ever. But I'm here now. Sry again

Ok unlike Troy just make sure you communicate. We work women. Did not know it was your birthday. Happy birthday!!

5/12/16, 4:03 PM



5/12/16, 11:00 AM

Hey ang, I'm really sorry to call... I would have called ryan but unfortunately with the rifting of my phone I don't have hi contact info. How

Do I get the radio on at Kellys????

Hi Troy, I changed the schedule at Kelly's Friday. You
can be a double as a server so you will just be bar @ 5
and as fresh for the night.

6/27/18, 4:30 PM



Thanks Troy

6/28/18, 1:12 PM

If Troy has a car depending Kelly's right now and has
a car is the hospital. Can you come in early and if so
what time and you be there? Please let me know one
way or another.

6/28/18, 9:54 AM

Hey Troy would like to hear from you what's going on

7/20/18, 7:40 AM

Hi Troy would check in with you. Call me when you call.
Long is your plan and would like to determine your
availability and if you are learning to playtown. Hope
this is helping better.

Joe
Behannon

SMS with 41 (84) 832-1574
8/21/15, 12:02 PM

Want to bartender Kelly's this day shift today??? Let
me know ASAP please

8/21/15, 1:52 PM

Who's this. What shift

Who's this?

Sorry Angie. Bill did not show up today.

Oh angie I am sorry. I had just woke up when I
responded. Did you find some one. I am on my way
to flips to move tables for that party then gotta be in at
7pm

8/21/15, 2:04 PM

Hi Joe, Sandra. You reach?

8/21/15, 2:03 PM

Sorry my cell died moments after talking to you. Yes.
Ed and Steve came and cleaned the fan parts as we
were finishing up..... I would love to re-do the room
again. The numbers are outta wack. 4s next to 16 and
so one. I would love to meet with you and gene about
renumbering the lines... Not rearranging the placement
just the line order... With Kris being so small and other
females there I wanna make it so open and easy for
them

Oh. Are you working tomorrow?

I am at flips. Tomorrow. I am at Kelly's 1030 on thurs if
that works

All day tomorrow at flips?

I go in at 7 we could meet before

Oh. Could you be at Kelly's?

Sure. Thank you. Sorry so wordy and to bother you on
a sunday

Thank you for the invite. I'll be there every day. Just not noticed.
Bill says hi to you

8/21/15, 4:56 PM

Her ann wanted to make sure were on for E

they and wanted to make sure were on for u

Yes.

Be there in 10.

Ok

6/23/15, 12:25 PM

Hi jee. Did Ryan call you about being the second bartender for a party today at Kelly's? It's 200-430 and they have doubled. I need two bartenders. Let me know.

Hey angie. I am with my grand mom and got two Dr apts in a bit. I am sorry I wouldn't be able to be there in time

Ok. Thanks anyway.

6/25/15, 2:04 PM

Hi angie. Just got in my car. Thank you so much. And sorry

No problem. Get better. Would rather have you 100%.

8/25/15, 11:00 AM

Hi Angie. I am at a Dr apt with for my gma. Everything ok?

Hi jee! Yes just need to know if you were made aware last night about the importance of doing all the closing duties? Did Chris tell you I had an extremely important meeting this morning at Flinn?

I was told to do a bunch of cleaning witch I did upstairs the otherday and had been doing things downstairs Mon and what I could last night. We got very busy

Upstairs. I took apart all the areas under the bar an scrubbed it with a scraper and wiped down all the wood

ok, just making sure. The place looked a mess today like things so I was unsure if anyone told you. I was kinda embarrassed so wanted to check with you before I asked Chris. As long as he told you! See you later, thanks for the reply!

8/25/15, 11:14 PM

Hi Angie its Joe. Just wanted to let you know. The ice bins sink and dish washer need tools to be moved cause there hooked up to plumbing. And the beer chest are extremely heavy

Ok thanks Joe

I am real sorry

Ok no problem all. Even if helps. Better to have the hard stuff to do. Thanks

OK. Not as great as I thought be hopefully cyoung did good

Haha. Wrong person haha

No prob. I mean you were talking about moving the equipment

I was but to Bob seeing if he was awake go try something

Kris
Flood

(Message with 41 (20/1) (35/0) (0/0)
6/12/15, 7:31 PM)

Also I did have to know if it was possible to have it reset
again

Yea I believe him too!

6/23/15, 2:24 PM

Also I did have to know if it was possible to have it reset
again

Yes but, did u switch out the cape may with summer
love yet??

If u did then I'll reset it now!

Ok hold on I'm gonna reset it! Let u know if it changes!

All good Ang! Ty

Yes it's locked!

Yw

6/23/15, 6:17 PM

I wanna say rite around when the party came in! I went
in the keg room and it felt like it was getting warm so i
told Ed and he went right down.

6/26/15, 3:17 PM

I see the root beer beer!! Ty u sooo much! Did u seen
email about switching my direct deposit to another
account?? Is that possible?

Ok! And no what was the shortage?

So the money that I collected from the servers and from the banks??



Ty

That was the nite I had to run out of here my sister was rushed to the emergency room! Ryan closed and also closed out both banks!

6/30/15, 1:19 PM

Hi Ang, beer screen is all updated! Thanks so much!

No problem!

7/6/15, 5:46 PM

Hi Ang, just wanted u to know that I sent all my bartender a reminder about what to do if they write out a check!

Ang, I just want
to say thank you

7/8/15, 2:48 PM

No problem

8/21/15, 1:57 PM

Ok thank u

I did not. Since its for Tom night I told him I would call u directly and u would get back to him. I normally

12

would give ur email, I can call him back if u want?

203-257-0028 his name is Pete Gavey

Ur welcome

8/25/15, 7:18 PM

You know it's cold at night when you're sleeping and
it's so cold and it's so cold!

Lol sry I'm always cold so I put it on 76! I thought
people would complain that it was warm! I guess it
really is off

9/4/15, 9:21 AM

Yes

Thank a person coming from pickup up for me
told him to ask for you. No one picked up for me and
I didn't get the car.

Thank you for the car!

Ok! No problem

9/10/15, 11:04 AM

Hi Ang,
Update:
Bob, Garite and I were here on time.
Natalia and Healy got here around 11:15
Lexi: 11:25

And I just called Adam and ask where he was he said
he over slept and will be here soon!

Everyone has their hair back and had a black Kelly's
shirt on. Everyone is set up except Healy had to get
ice which he's doing now!

Anything else pls let me know! Have a good day Ang!

9/12/15, 2:48 PM

Hi Ang, is there anyway u can bring us off a serg
protector strip? The cable guy is here and needs that
ASAP to finish replacing new boxes

Never mind I got one from flips!

Sry to bother u like that!

no problem I would love to help you out! I will be happy to help you out from now on! I will be happy to help you out from now on!

I didn't wanna unplug anything lol he said he needed to make sure they all are working

7/12/10 5:30 PM

7/12/10 5:30 PM

Bob Steneborg 14

iMessage with +1 (464) 470-5164
3/27/15, 10:03 PM

Hello. Is there a check for me?

[REDACTED]

Haha it's all good thanks. Flipd is fine. I'll assume
there going forward! Thanks

4/9/15, 8:55 PM

[REDACTED]

Yes. 1st row in left field. Brutal here

4/10/15, 9:03 PM

[REDACTED]

Yeah that's fine. If you need me to cover any of Mike's
dayshift let me know because I could probably take off
of work

[REDACTED]

Ok. I wouldn't mind a Bartending shift once in awhile.
It's been awhile

Happy to help

4/12/15, 1:10 PM

[REDACTED]

4/14/15, 8:06 AM

[REDACTED]

4/14/15, 1:48 PM

That's fine thanks. I do not have his contact
information sorry

6/3/15, 5:00 PM

[REDACTED]

6/16/15, 5:04 PM

Was there a check there. We couldn't find it

[REDACTED]

6/16/15, 5:04 PM

15

No problem thank you for let me know.

4/17/15 8:32 PM
[REDACTED]

4/17/15 8:32 PM

Even though mike bailey is covering at kellys, I still can't bartend?

4/17/15 8:32 PM
[REDACTED]

Alright.

4/17/15 8:57 PM

4/17/15 8:57 PM
[REDACTED]

4/17/15 8:57 PM

So Lisa is out and Ryan bar tending? Just trying to keep tabs on what's happening

I apologize I wasn't trying to step on any toes. I was just trying to help and put us in the best position possible all things considered

4/17/15 11:14 AM

Was just curious. Is my check at Flips this week?

4/17/15 11:14 AM
[REDACTED]

4/17/15 11:14 AM

Thanks!

4/17/15 11:17 AM

My apologies for the paperwork. That is nobody's fault but mine. I had every intention in looking at over again after they finished but I got caught up with everything that was going on with the lack of computers and then we got busier

4/17/15 1:00 PM

4/17/15 1:00 PM
[REDACTED]

Okay. I will make sure it was all handled by Sunday at the latest. Does Ryan have the forms so I can just have them finish it up

16

Also can we have an 80s theme night at the bar May 8.

I will make a sign for it. I will make it about 12 minutes. I will do it on May 8th.

Sorry I realized this is next week. Any special promotions will need minimum two weeks to promote.

Ok great to both. I'll make a sign for it. How about thurs may 14. Can we do some sort of colorful shot special or bomb that we can advertise

4/29/15, 10:42 PM

Sorry I realized this is next week. I will make a sign for it. I will make it about 12 minutes. I will do it on May 8th.

4/29/15, 11:58 PM

We were doing one theme night a month. March was patties and April we got off track bc of basketball. May was the plan but if we can't that's fine.

5/3/15, 2:11 PM



Since it's Cinco de Mayo I thought this would be fun for the Kelly's Facebook but I don't have the password

5/4/15, 7:52 AM

I will make a sign for it. I will make it about 12 minutes. I will do it on May 8th.

I believe that he does. If not I'll make sure they are He's done it for us before

5/4/15, 5:01 PM

I will make a sign for it. I will make it about 12 minutes. I will do it on May 8th.

...

12

At that hour I think we'll just be waking up. We will do our best not to be rowdy. In the morning at least. I think tables would probably be a good idea

Thank you so much

5/26/15, 3:48 PM

Is next weekend reunion weekend. I'm trying to figure out for scheduling

Great thx

5/26/15, 8:50 AM

5/26/15, 11:13 AM

Ok. Working on it

5/26/15, 10:09 PM

Sorry I meant to text earlier but I got caught up with Little League. John is coming in to cover at nine

5/26/15, 8:24 PM

SMS with 4844705109
5/26/15, 11:54 AM

Ok. Working on it

Message with 47 (419) 671-4199
5/27/15, 11:20 AM

I hope it was alright but I saw an opportunity to sell some of those shirts last night with a big alumni weekend I sold a bunch of them

5/28/15, 5:25 PM

5/28/15, 7:29 PM

Doing it now. I'll be done in 3. Been a very busy day. I'm sorry.

Sent

19

5/15/15, 2:40 PM

Was there any luck with that letter?

Thanks!

6/19/15, 2:30 PM

Sorry to bother u. Do I have a check at flips or kellys?

SMS with 4844705164

Thank you. Last time he sent it to me it was just a generic letter to whom it may concern that I am employed and I'm guaranteed I think it was \$850 a mon

th. That's all. Thanks.

iMessage with +1 (404) 470-6164

on read kellys

Message does not have that info. What does it need to say and who is it for?

Thank you. Last time he sent it to me it was just a generic letter to whom it may concern that I am employed and I'm guaranteed I think it was \$850 a month. That's all. Thanks.

Found it

on read kellys
Message does not have that info. What does it need to say and who is it for?

Not yet. A little later. I got tied up. Thanks!

Message does not have that info. What does it need to say and who is it for?

Ryan told me there wasn't. Which is y I texted you. Wasn't trying to be a bother

7/1/2015, 7:34 PM

20

I spoke with Chris and everything is squared away for Thursday. Thank you very much

[REDACTED]

7/14/15, 6:27 PM

No problem. My pleasure. Please let me know if you'd like to sit down and discuss some of the holes in the schedule that I could possibly fill

7/17/15, 9:10 AM

[REDACTED]

Chris and I figured on Tuesdays. But I was also wondering what pay was for it.

7/17/15, 11:51 AM

[REDACTED]

Ok that works for me! Also did you want to have a talk and figure where/if I can help fill holes

7/23/15, 5:03 PM

We are still meeting at Kellys right

[REDACTED]

Oh we said Thursday at 5 haha

[REDACTED]

Yea that's fine, I'll head home. Catch you tomorrow

[REDACTED]

5 should workout just fine. Thanks!

7/24/15, 4:57 PM

Running a minute or two late but I'm on my way

[REDACTED]

[REDACTED]

21

Yes Bob, and you send me the new void. It's into for payroll. He called this morning. Thank you.

Yes his paperwork and voided check are completed and were giev

Given to Robert for the safe. Also my day job approved me shifting to part time

Ok, I'll let you know how to I will let the safe sign. Just don't you think I have nothing all time ago now.

Ok he def has it. How many shifts do you think I could get.

8/1/16, 1:35 PM

What time is the party? I'll be there.

I am sorry but I cannot. We are having a family party for my moms birthday

Also what are the details for bingo. Chris told me to ask you because he wasn't sure. I'm happy to do it I just haven't been given much info

8/1/16, 1:35 PM

Ok. When to when. Are were charging by the card? Proceeds go to Debbie right.

8/1/16, 1:35 PM

Ok great. I'm on board

8/1/16, 3:20 PM

What would you like me to do with the money for Debbie. Drop in safe?

8/1/16, 4:27 PM

Is there anyway I can get my check left at Flips this weekend? I'll be working there every day

8/1/16, 5:34 PM

8/1/16, 5:34 PM

Thank you!

8/2/16, 2:03 PM

Did we ever decide on a prize for quizzo? \$25 gift card and a pitcher for the winners of each round?

How many rounds are you doing?

Four. One of which is a picture round

Is that the kind of deal you're looking for? Or is it like a
picture round. That's all I am doing for now

I think that sounds really good actually. That's more
than Flips does.

Is there a way to keep checking and estimate
how much it's going to be? Let me rethink this

I think a pitcher special would be good like Flips has
for quizzo

Specials are around \$5.00

Ok. What do you want to do about bingo?

Is there a 15 min card available only that night and
the 30 min card are accumulated and 25 min card
is available any future night but not that night

That's great. I'll save excess questions for future
nights!

3/26/15, 1:57 PM

Should I grab the alehouse scanner tomorrow so we
have a scanner at the door and one up on the mez for
the party

Yes. That's a good idea

Ok just wanted to cover bases. That's what we did last
year

MS with 003112506405
3/27/15, 3:59 PM

How is everything?

3/27/15, 11:00 PM

Under control! 343 people for the party. They all
cleared out afterwords I'm starting to come back in
small groups. It was crazy karting on the mezzanin
e going forward we need to do a party in the doorway
All in all it was OK though

We did throw out a solid dozen people who were

23

under 21 drinking at around 915ish. We caught them right away

Message with +1 (484) 470-5164
9/9/15, 3:42 PM

Does Tony still have the bouncer for us?

I have not used him in a while but I'd like the option to be there if I do need him. He still on good terms but he got married and is taking time off to be with his wife

I've asked all sorts of child support withholding & medical things on him. I just need to respond. When's the last time he worked for us?

Probably graduation weekend

9/11/15, 8:52 PM

Hey Robert said there wasn't a check for me. I just wanted to know if maybe it was at Flips or something

He said he could cut me one but he needs permission

9/11/15, 10:45 PM

Shave it and tell me how to remove it

No sweat. I was just curious

9/15/15, 2:01 PM

What time are you going to be there? What time are you going to be there?

I get in for trivia a little bit before nine but I'm in the neighborhood if you're there now

Can you get a bouncer for us?

I noticed that when I looked at the schedule and discussed it with Chris. I'll just find another bouncer. Mike Bailey thinks he can do it

9/20/15, 1:20 PM

Can you get a bouncer for us?

Sure whatever works for you. It's no trouble for me. Thanks!

9/20/15, 2:41 PM

Ty is covering tonight. Joe tomorrow night. It'll put him at 45 hrs

I'll be back sat to run point on stop light party which seems to have a good interest level

2/13/16, 12:14 PM

Sure phone or in person

24 3/4 5.12 PM

Ed can't make it out.

Howard, gigs and myself think we solved the problem

309/18 1024 AM

No problem. We are staffed for Sunday I have mike, Joe , Marty, and Maria. I am working on bouncers.

2017年05月12日 13:14

Is my schedule approved to send?

0123456789101112131415161718192021222324252627282930313233343536373839404142434445464748495051525354555657585960616263646566676869707172737475767778798081828384858687888990919293949596979899100101102103104105106107108109110111112113114115116117118119120121122123124125126127128129130131132133134135136137138139140141142143144145146147148149150151152153154155156157158159160161162163164165166167168169170171172173174175176177178179180181182183184185186187188189190191192193194195196197198199200201202203204205206207208209210211212213214215216217218219220221222223224225226227228229230231232233234235236237238239240241242243244245246247248249250251252253254255256257258259260261262263264265266267268269270271272273274275276277278279280281282283284285286287288289290291292293294295296297298299300301302303304305306307308309310311312313314315316317318319320321322323324325326327328329330331332333334335336337338339340341342343344345346347348349350351352353354355356357358359360361362363364365366367368369370371372373374375376377378379380381382383384385386387388389390391392393394395396397398399400401402403404405406407408409410411412413414415416417418419420421422423424425426427428429430431432433434435436437438439440441442443444445446447448449450451452453454455456457458459460461462463464465466467468469470471472473474475476477478479480481482483484485486487488489490491492493494495496497498499500501502503504505506507508509510511512513514515516517518519520521522523524525526527528529530531532533534535536537538539540541542543544545546547548549550551552553554555556557558559560561562563564565566567568569570571572573574575576577578579580581582583584585586587588589590591592593594595596597598599600601602603604605606607608609610611612613614615616617618619620621622623624625626627628629630631632633634635636637638639640641642643644645646647648649650651652653654655656657658659660661662663664665666667668669670671672673674675676677678679680681682683684685686687688689690691692693694695696697698699700701702703704705706707708709710711712713714715716717718719720721722723724725726727728729730731732733734735736737738739740741742743744745746747748749750751752753754755756757758759760761762763764765766767768769770771772773774775776777778779780781782783784785786787788789790791792793794795796797798799800801802803804805806807808809810811812813814815816817818819820821822823824825826827828829830831832833834835836837838839840841842843844845846847848849850851852853854855856857858859860861862863864865866867868869870871872873874875876877878879880881882883884885886887888889890891892893894895896897898899900901902903904905906907908909910911912913914915916917918919920921922923924925926927928929930931932933934935936937938939940941942943944945946947948949950951952953954955956957958959960961962963964965966967968969970971972973974975976977978979980981982983984985986987988989990991992993994995996997998999100010011002100310041005100610071008100910101011101210131014101510161017101810191020102110221023102410251026102710281029103010311032103310341035103610371038103910401041104210431044104510461047104810491050105110521053105410551056105710581059106010611062106310641065106610671068106910701071107210731074107510761077107810791080108110821083108410851086108710881089109010911092109310941095109610971098109911001101110211031104110511061107110811091110111111121113111411151116111711181119112011211122112311241125112611271128112911301131113211331134113511361137113811391140114111421143114411451146114711481149115011511152115311541155115611571158115911601161116211631164116511661167116811691170117111721173117411751176117711781179118011811182118311841185118611871188118911901191119211931194119511961197119811991200120112021203120412051206120712081209121012111212121312141215121612171218121912201221122212231224122512261227122812291230123112321233123412351236123712381239124012411242124312441245124612471248124912501251125212531254125512561257125812591260126112621263126412651266126712681269127012711272127312741275127612771278127912801281128212831284128512861287128812891290129112921293129412951296129712981299130013

© 2006 The Authors
Journal compilation © 2006 Blackwell Publishing Ltd

WORLDWIDE VESTING AGREEMENT

the 1990s, the number of people in the world who are illiterate has increased from 1.2 billion to 1.5 billion. The number of illiterate people in the world is expected to reach 1.7 billion by the year 2015. The number of illiterate people in the world is expected to reach 1.7 billion by the year 2015.

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

Matt is just walking in now. I was unaware of the Kellys opened at 11 o'clock that one is on me

[illegible]

Not the case at all. I had no idea. I'm very sorry though.

© 2004 Blackwell Publishing Ltd, *Journal of Internal Medicine* 255: 103–110

100

Discussion

I was alway always told that was the case but not
lager bottles. It's been that way since I took over
Sunday

Kris said she is there and yes well aware her office

25

stuff is on hold until the end of the game. I just popped
in and everything was under control.